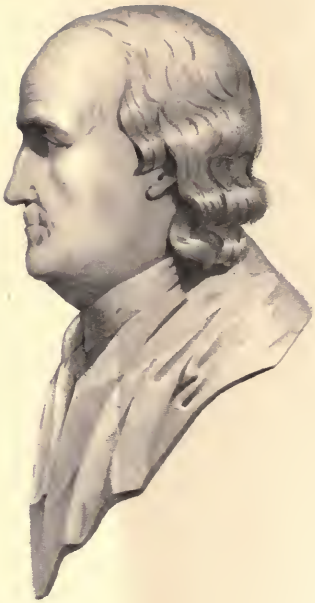
THE WORKS

OF

BENJAMIN FRANKLIN.

VOL. IV.



FRANKLIN.

From Houdons Bust

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BOSTON.

THE

WORKS

OF

BENJAMIN FRANKLIN;

CONTAINING

SEVERAL POLITICAL AND HISTORICAL TRACTS

NOT INCLUDED IN ANY FORMER EDITION

AND

MANY LETTERS OFFICIAL AND PRIVATE

NOT HITHERTO PUBLISHED·

WITH

NOTES

AND

A LIFE OF THE AUTHOR.

By JARED SPARKS

VOLUME IV.

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ESSAYS AND TRACTS,

HISTORICAL AND POLITICAL,

BEFORE

THE AMERICAN REVOLUTION.

(CONTINUED.)

THE

INTEREST OF GREAT BRITAIN CONSIDERED,

WITH REGARD TO HER COLONIES

AND THE ACQUISITIONS OF

CANADA AND GUADALOUPE.

This pamphlet was first published anonymously in London, in the year 1760. At that time the war with France was about coming to a close, and the politicians were fruitful in their speculations on the terms of peace, particularly after Canada had fallen into the hands of the British, by the brilliant victory of Wolfe at Quebec. It was a question much discussed, whether Canada should be retained, or whether it should be given back to the French as a set-off for acquisitions in the West Indies. The controversy was carried on with warmth, and the public attention was attracted to it, not more from the importance of the subject, than from the ability of the writers enlisted on each side.

The Earl of Bath wrote and published a *Letter to Two Great Men*, (Mr. Pitt and the Duke of Newcastle,) in which he advanced reasons for keeping Canada, as more valuable to England than any West India possessions, that could be obtained as an equivalent. Shortly afterwards appeared "*Remarks* on the Letter to Two Great Men," without a name, but ascribed by some to Edmund Burke, and by others to William Burke. The author took the opposite ground, preferring Guadaloupe to Canada, and maintaining his position with much display of political knowledge and ingenious argument.

At this stage of the controversy, Franklin entered the lists, and sent out the following tract, in which he comments upon these two performances, and applies himself particularly to expose the fallacies and confute the arguments of the Remarker. This task was so successfully executed, and his views were enforced by such clearness of illustration and cogency of reasoning, that the pamphlet was believed to have had great weight in the ministerial

councils, and to have been mainly instrumental in causing Canada to be held at the peace.

The arguments were ably met, however, in a subsequent pamphlet entitled, "An Examination of the Commercial Principles of the late Negotiation between Great Britain and France in 1761," supposed likewise to have been written by Mr. Burke; and the style of its execution might well have justified such a conjecture, if there had not been other grounds for the belief. The same doctrines are advanced, as in the "Remarks." The writer puts forth his chief strength to confute the following pamphlet; and the estimation, in which he held the author of it, may be inferred from his manner of introducing the subject. After stating that he should confine his remarks to the writer of this performance, he adds as a reason, because, of all those, who had treated the opposite side of the question, "he is clearly the ablest, the most ingenious, the most dexterous, and the most perfectly acquainted with the *fort* and *foible* of the argument; and we may therefore conclude, that he has said every thing, and every thing in the best manner, that the cause could bear." This was high praise to come from an opponent, who, if he hoped to triumph, was fully aware of the arduous nature of his undertaking. In fact he failed; for he could not convince the public, nor the ministry, that Guadaloupe was better for England than Canada; nor could his zeal and eloquence avail to divert the negotiation from its first channel.—EDITOR.

I HAVE perused, with no small pleasure, the *Letter addressed to Two Great Men*, and the *Remarks* on that letter. It is not merely from the beauty, the force, and perspicuity of expression, or the general elegance of manner, conspicuous in both pamphlets, that my pleasure chiefly arises; it is rather from this, that I have lived to see subjects of the greatest importance to this nation publicly discussed without party views or party heat, with decency and politeness, and with no other warmth, than what a zeal for the honor and happiness of our King and country may inspire; and this by writers, whose understanding, however they

may differ from each other, appears not unequal to their candor and the uprightness of their intention.

But, as great abilities have not always the best information, there are, I apprehend, in the *Remarks*, some opinions not well founded, and some mistakes of so important a nature, as to render a few observations on them necessary for the better information of the public.

The author of the Letter, who must be every way best able to support his own sentiments, will, I hope, excuse me, if I seem officiously to interfere; when he considers, that the spirit of patriotism, like other qualities good and bad, is catching, and that his long silence, since the Remarks appeared, has made us despair of seeing the subject farther discussed by his masterly hand. The ingenious and candid Remarker, too, who must have been misled himself, before he employed his skill and address to mislead others, will certainly, since he declares he *aims at no seduction*, be disposed to excuse even the weakest effort to prevent it.

And surely, if the general opinions that possess the minds of the people may possibly be of consequence in public affairs, it must be fit to set those opinions right. If there is danger, as the Remarker supposes, that "extravagant expectations" may embarrass "a virtuous and able ministry," and "render the negotiation for peace a work of infinite difficulty," * there is no less danger, that expectations too low, through want of proper information, may have a contrary effect; may make even a virtuous and able ministry less anxious, and less attentive to the obtaining points, in which the honor and interest of the nation

* Remarks, p. 6.

are essentially concerned; and the people less hearty in supporting such a ministry and its measures.

The people of this nation are indeed respectable, not for their numbers only, but for their understanding and their public spirit. They manifest the first by their universal approbation of the late prudent and vigorous measures, and the confidence they so justly repose in a wise and good prince, and an honest and able administration; the latter they have demonstrated by the immense supplies granted in Parliament unanimously, and paid through the whole kingdom with cheerfulness. And, since to this spirit and these supplies our "victories and successes"* have in great measure been owing, is it quite right, is it generous to say, with the Remarker, that the people "had no share in acquiring them?" The mere mob he cannot mean, even where he speaks of the madness of the people; for the madness of the mob must be too feeble and impotent, armed as the government of this country at present is, to "overrule,"† even in the slightest instances, the virtue "and moderation" of a firm and steady ministry.

While the war continues, its final event is quite uncertain. The victorious of this year may be the vanquished of the next. It may therefore be too early to say, what advantages we ought absolutely to insist on, and make the *sine quibus non* of a peace. If the necessity of our affairs should oblige us to accept of terms less advantageous than our present successes seem to promise us, an intelligent people, as ours is, must see that necessity, and will acquiesce. But as a peace, when it is made, may be made hastily; and as the unhappy continuance of the war affords us time to con-

* Remarks, p. 7.

† Ibid. p. 7.

sider, among several advantages gained or to be gained, which of them may be most for our interest to retain, if some and not all may possibly be retained; I do not blame the public disquisition of these points, as premature or useless. Light often arises from a collision of opinions, as fire from flint and steel; and if we can obtain the benefit of the *light*, without danger from the *heat* sometimes produced by controversy, why should we discourage it?

Supposing then, that Heaven may still continue to bless his Majesty's arms, and that the event of this just war may put it in our power to retain some of our conquests at the making of a peace; let us consider,

1. *The Security of a Dominion, a justifiable and prudent Ground upon which to demand Cessions from an Enemy.*

Whether we are to confine ourselves to those possessions only, that were "the objects for which we began the war." * This the Remarker seems to think right, when the question relates to "*Canada, properly so called;* it having never been mentioned as one of those objects, in any of our memorials or declarations, or in any national or public act whatsoever." But the gentleman himself will probably agree, that if the cession of Canada would be a real advantage to us, we may demand it under his second head, as an "*indemnification* for the charges incurred" in recovering our just rights; otherwise, according to his own principles, the demand of Guadaloupe can have no foundation. That "our claims before the war were large enough for possession and for security too," † though it seems a clear point with the ingenious Remarker, is, I own, not

* Remarks, p. 19.

† Ibid. p. 19.

so with me. I am rather of the contrary opinion, and shall presently give my reasons.

But first let me observe, that we did not make those claims because they were large enough for security, but because we could rightfully claim no more. Advantages gained in the course of this war may increase the extent of our rights. Our claims before the war contained *some* security; but that is no reason why we should neglect acquiring *more*, when the demand of more is become reasonable. It may be reasonable in the case of America, to ask for the security recommended by the author of the Letter,* though it would be preposterous to do it in many cases. His proposed demand is founded on the little value of Canada to the French; the right we have to ask, and the power we may have to insist on an indemnification for our expenses; the difficulty the French themselves will be under of restraining their restless subjects in America from encroaching on our limits and disturbing our trade; and the difficulty on our part of preventing encroachments, that may possibly exist many years without coming to our knowledge.

But the Remarker "does not see why the arguments, employed concerning a security for a peaceable behaviour in Canada, would not be equally cogent for calling for the same security in Europe." † On a little farther reflection, he must, I think, be sensible, that the circumstances of the two cases are widely different. *Here* we are separated by the best and clearest of boundaries, the ocean, and we have people in or near every part of our territory. Any attempt to encroach upon us, by building a fort, even in the obscurest cor-

* Page 30 of the Letter, and p. 21 of the Remarks.
† Remarks, p. 28.

ner of these Islands, must therefore be known and prevented immediately. The aggressors also must be known, and the nation they belong to would be accountable for their aggression. In America it is quite otherwise. A vast wilderness, thinly or scarce at all peopled, conceals with ease the march of troops and workmen. Important passes may be seized within our limits, and forts built in a month, at a small expense, that may cost us an age and a million to remove. Dear experience has taught this. But what is still worse, the wide-extended forests between our settlements and theirs are inhabited by barbarous tribes of savages, that delight in war, and take pride in murder; subjects properly neither of the French nor English, but strongly attached to the former by the art and indefatigable industry of priests, similarity of superstitions, and frequent family alliances. These are easily, and have been continually, instigated to fall upon and massacre our planters, even in times of full peace between the two crowns, to the certain diminution of our people and the contraction of our settlements.* And,

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* A very intelligent American writer, Dr. Clarke, in his *Observations on the late and present Conduct of the French, &c.* printed at Boston, 1755, says,

"The Indians in the French interest are, upon all proper opportunities, *instigated by their priests* (who have generally the chief management of their public councils) to acts of hostility against the English, even in time of profound peace between the two crowns. Of this there are many undeniable instances. The war between the Indians and the colonies of the Massachusetts Bay and New Hampshire, in 1723, by which those colonies suffered so much damage, was begun by the instigation of the French; their supplies were from them; and there are now original letters of several Jesuits to be produced, whereby it evidently appears, that they were continually animating the Indians, when almost tired with the war, to a farther prosecution of it. The French not only excited the Indians, and supported them, but joined their own forces with them in all the late hostilities, that have been committed within his Majesty's province of Nova Scotia. And from an intercepted

though it is known they are supplied by the French, and carry their prisoners to them, we can, by complaining, obtain no redress, as the governors of Canada have a ready excuse, that the Indians are an independent people, over whom they have no power, and for whose actions they are, therefore, not accountable. Surely circumstances so widely different may reasonably authorize different demands of security in America, from such as are usual or necessary in Europe.

The Remarker however thinks, that our real dependence for keeping "France or any other nation true to her engagements must not be in demanding securities, which no nation whilst *independent* can give, but on our own strength and our own vigilance." * No nation that has carried on a war with disadvantage, and is unable to continue it, can be said under such circumstances to be *independent;* and, while either side thinks itself in a condition to demand an indemnification, there is no man in his senses, but will, *cæteris paribus*, prefer an indemnification, that is a cheaper and more effectual security than any other he can think of. Nations in this situation demand and cede countries by almost every treaty of peace that is made. The French part

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letter this year from the Jesuits at Penobscot, and from other information, it is certain, that they have been using their utmost endeavours to excite the Indians to new acts of hostility against his Majesty's colony of the Massachusetts Bay; and some have been committed. The French not only excite the Indians to acts of hostility, but reward them for it by *buying the English prisoners of them;* for the ransom of each of which they afterwards demand of us the price, that is usually given for a slave in these colonies. They do this under the specious pretence of rescuing the poor prisoners from the cruelties and barbarities of the savages; but in reality to encourage them to continue their depredations, as they can by this means get more by hunting the English, than by hunting wild beasts; and the French, at the same time, are thereby enabled to keep up a large body of Indians, entirely at *the expense of the English.*"

* Remarks, p. 25.

of the island of St. Christopher's was added to Great Britain in circumstances altogether similar to those, in which a few months may probably place the country of Canada. Farther security has always been deemed a motive with a conqueror to be less moderate; and even the *vanquished* insist upon security as a reason for demanding what they acknowledge they could not otherwise properly ask.

The security of the frontier of France *on the side of the Netherlands* was always considered in the negotiation, that began at Gertrudenberg and ended with that war. For the same reason they demanded and had Cape Breton. But a war, concluded to the advantage of France, has always added something to the power, either of France or the House of Bourbon. Even that of 1733, which she commenced with declarations of her having no ambitious views, and which finished by a treaty at which the ministers of France repeatedly declared, that she desired nothing for herself, in effect gained for her Lorraine, an indemnification ten times the value of all her North American possessions.

In short, security and quiet of princes and states have ever been deemed sufficient reasons, when supported by power, for disposing of rights; and such dispositions have never been looked on as want of moderation. It has always been the foundation of the most general treaties. The security of Germany was the argument for yielding considerable possessions there to the Swedes; and the security of Europe divided the Spanish monarchy by the partition treaty, made between powers who had no other right to dispose of any part of it. There can be no cession, that is not supposed at least to increase the power of the party to whom it is made. It is enough that he has a

right to ask it, and that he does it not merely to serve the purposes of a dangerous ambition.

Canada, in the hands of Britain, will endanger the kingdom of France as little as any other cession; and from its situation and circumstances cannot be hurtful to any other state. Rather, if peace be an advantage, this cession may be such to all Europe. The present war teaches us, that disputes arising in America may be an occasion of embroiling nations, who have no concerns there. If the French remain in Canada and Louisiana, fix the boundaries as you will between us and them, we must border on each other for more than fifteen hundred miles. The people that inhabit the frontiers are generally the refuse of both nations, often of the worst morals and the least discretion; remote from the eye, the prudence, and the restraint of government. Injuries are therefore frequently, in some part or other of so long a frontier, committed on both sides, resentment provoked, the colonies are first engaged, and then the mother countries. And two great nations can scarce be at war in Europe, but some other prince or state thinks it a convenient opportunity to revive some ancient claim, seize some advantage, obtain some territory, or enlarge some power at the expense of a neighbour. The flames of war, once kindled, often spread far and wide, and the mischief is infinite. Happy it proved to both nations, that the Dutch were prevailed on finally to cede the New Netherlands (now the province of New York) to us at the peace of 1674; a peace that has ever since continued between us, but must have been frequently disturbed, if they had retained the possession of that country, bordering several hundred miles on our colonies of Pennsylvania westward, Connecticut and the Massachusetts eastward. Nor is it to be wondered at,

that people of different language, religion, and manners, should in those remote parts engage in frequent quarrels; when we find, that even the people of our own colonies have frequently been so exasperated against each other, in their disputes about boundaries, as to proceed to open violence and bloodshed.

2. *Erecting Forts in the back Settlements, almost in no Instance a sufficient Security against the Indians and the French; but the Possession of Canada implies every Security, and ought to be had, while in our Power.*

But the Remarker thinks we shall be sufficiently secure in America, if we "raise English forts at such passes as may at once make us respectable to the French and to the Indian nations." *. The security desirable in America may be considered as of three kinds. 1. A security of possession, that the French shall not drive us out of the country. 2. A security of our planters from the inroads of savages, and the murders committed by them. 3. A security that the British nation shall not be obliged, on every new war, to repeat the immense expense occasioned by this, to defend its possessions in America.

Forts in the most important passes may, I acknowledge, be of use to obtain the *first* kind of security; but, as those situations are far advanced beyond the inhabitants, the expense of maintaining and supplying the garrisons will be very great, even in time of full peace, and immense on every interruption of it; as it is easy for skulking parties of the enemy, in such long roads through the woods, to intercept and cut off our convoys, unless guarded continually by great bodies of men.

* Remarks, p. 25.

The *second* kind of security will not be obtained by such forts, unless they were connected by a wall like that of China, from one end of our settlements to the other. If the Indians, when at war, marched like the Europeans, with great armies, heavy cannon, baggage, and carriages; the passes through which alone such armies could penetrate our country, or receive their supplies, being secured, all might be sufficiently secure. But the case is widely different; they go to war, as they call it, in small parties; from fifty men down to five. Their hunting life has made them acquainted with the whole country, and scarce any part of it is impracticable to such a party. They can travel through the woods even by night, and know how to conceal their tracks. They pass easily between your forts undiscovered; and privately approach the settlements of your frontier inhabitants. They need no convoys of provisions to follow them; for whether they are shifting from place to place in the woods, or lying in wait for an opportunity to strike a blow, every thicket and every stream furnishes so small a number with sufficient subsistence. When they have surprised separately, and murdered and scalped a dozen families, they are gone with inconceivable expedition through unknown ways; and it is very rare that pursuers have any chance of coming up with them.* In short, long

* "Although the Indians live scattered, as a hunter's life requires, they may be collected together from almost any distance; as they can find their subsistence from their gun in their travelling. But, let the number of the Indians be what it will, they are not formidable merely on account of their numbers; there are many other circumstances that give them a great advantage over the English. The English inhabitants, though numerous, are extended over a large tract of land, five hundred leagues in length on the sea shore; and, although some of their trading towns are thick settled, their settlements in the country towns must be at a distance from each other; besides that in a new country, where lands are cheap, people are fond of acquiring large tracts to themselves; and

experience has taught our planters, that they cannot rely upon forts as a security against Indians; the inhabitants of Hackney might as well rely upon the tower of London, to secure them against highwaymen and housebreakers.

As to the *third* kind of security, that we shall not, in a few years, have all we have done to do over again in America, and be obliged to employ the same number of troops and ships, at the same immense expense, to defend our possessions there, while we are in proportion

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therefore, in the out settlements, they must be more remote; and, as the people that move out are generally poor, they sit down either where they can easiest procure land, or soonest raise a subsistence. Add to this, that the English have fixed, settled habitations, the easiest and shortest passage to which the Indians, by constantly hunting in the woods, are perfectly well acquainted with; whereas the English know little or nothing of the Indian country, or of the passages through the woods that lead to it. The Indian way of making war is by sudden attack upon exposed places; and as soon as they have done mischief they retire, and either go home by the same or some different route, as they think safest, or go to some other place at a distance, to renew their stroke. If a sufficient party should happily be ready to pursue them, it is a great chance, whether in a country consisting of woods and swamps, which the English are not acquainted with, the enemy do not lie in ambush for them in some convenient place, and from thence destroy them. If this should not be the case, but the English should pursue them, as soon as they have gained the rivers, by means of their canoes (to the use of which they are brought up from their infancy) they presently get out of their reach. Further, if a body of men were to march into their country, to the place where they are settled, they can, upon the least notice, without great disadvantage, quit their present habitations, and betake themselves to new ones." — CLARKE's *Observations*, p. 13.

"It has been already remarked, that the tribes of the Indians, living upon the lakes and rivers that run upon the back of the English settlements in North America, are very numerous, and can furnish a great number of fighting men, all perfectly well acquainted with the use of arms as soon as capable of carrying them, as they get the whole of their subsistence from hunting; and that this army, large as it may be, can be maintained by the French without any expense. From their numbers, their situation, and the rivers that run into the English settlements, it is easy to conceive, that they can at any time make an attack upon, and constantly annoy, as many of the exposed English settlements as they

weakened here; such forts, I think, cannot prevent this. During a peace, it is not to be doubted the French, who are adroit at fortifying, will likewise erect forts in the most advantageous places of the country we leave them; which will make it more difficult than ever to be reduced in case of another war. We know, by experience of this war, how extremely difficult it is to march an army through the American woods, with its necessary cannon and stores, sufficient to reduce a very slight fort. The accounts at the treasury will tell you what amazing sums we have necessarily spent in the expeditions against two very trifling forts, Duquesne and Crown Point. While the French retain their influence over the Indians, they can easily keep our long-extended frontier in continual alarm, by a very few of those people; and, with a small number of regulars and militia, in such a country, we find they can keep an army of ours in full employ for several years. We therefore shall not need to be told by our colonies, that, if we leave Canada, however circumscribed, to the French, "we have done nothing";* we shall soon be made sensible *ourselves* of this truth, and to our cost.

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please, and those at any distance from each other. The effects of such incursions have been too severely felt by many of the British colonies, not to be very well known. The entire breaking up places, that had been for a considerable time settled at a great expense both of labor and money; burning the houses, destroying the flock, killing and making prisoners great numbers of the inhabitants, with all the cruel usage they meet with in their captivity, is only a part of the scene. All other places, that are exposed, are kept in continual terror; the lands lie waste and uncultivated, from the danger that attends those that shall presume to work upon them; besides the immense charge the governments must be at in a very uneffectual manner to defend their extended frontiers; and all this from the influence the French have had over, but comparatively, a few of the Indians. To the same or greater evils still will every one of the colonies be exposed, whenever the same influence shall be extended to the whole body of them."—*Ibid.* p. 20.

* Remarks, p. 26.

I would not be understood to deny, that, even if we subdue and take Canada, some *few forts* may be of use to secure the goods of the traders, and protect the commerce, in case of any sudden misunderstanding with any tribe of Indians; but these forts will be best under the care of the colonies interested in the Indian trade, and garrisoned by their provincial forces, and at their own expense. Their own interest will then induce the American governments to take care of such forts in proportion to their importance, and see that the officers keep their corps full, and mind their duty. But any troops of ours placed there, and accountable here, would, in such remote and obscure places, and at so great a distance from the eye and inspection of superiors, soon become of little consequence, even though the French were left in possession of Canada. If the four independent companies, maintained by the crown in New York more than forty years, at a great expense, consisted, for most part of the time, of faggots chiefly; if their officers enjoyed their places as sinecures, and were only, as a writer * of that country styles them, a kind of military monks; if this was the state of troops posted in a populous country, where the imposition could not be so well concealed; what may we expect will be the case of those, that shall be posted two, three, or four hundred miles from the inhabitants, in such obscure and remote places as Crown Point, Oswego, Duquesne, or Niagara? They would scarce be even faggots; they would dwindle to mere names upon paper, and appear nowhere but upon the muster-rolls.

Now all the kinds of security we have mentioned are obtained by subduing and *retaining* Canada. Our

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* Douglass.

present possessions in America are secured; our planters will no longer be massacred by the Indians, who, depending absolutely on us for what are now become the necessaries of life to them (guns, powder, hatchets, knives, and clothing), and having no other Europeans near, that can either supply them, or instigate them against us; there is no doubt of their being always disposed, if we treat them with common justice, to live in perpetual peace with us. And, with regard to France, she cannot, in case of another war, put us to the immense expense of defending that long-extended frontier; we shall then, as it were, have our backs against a wall in America; the sea-coast will be easily protected by our superior naval power; and here "our own watchfulness and our own strength" will be properly, and cannot but be successfully, employed. In this situation, the force now employed in that part of the world may be spared for any other service here or elsewhere; so that both the offensive and defensive strength of the British empire, on the whole, will be greatly increased.

But to leave the French in possession of Canada, when it is in our power to remove them, and depend (as the Remarker proposes) on our own "strength and watchfulness"* to prevent the mischiefs that may attend it, seems neither safe nor prudent. Happy as we now are, under the best of kings, and in the prospect of a succession promising every felicity a nation was ever blessed with; happy too in the wisdom and vigor of every part of the administration; we cannot, we ought not to promise ourselves the uninterrupted continuance of those blessings. The safety of a considerable part of the state, and the interest of the whole, are not to be trusted to the wisdom and vigor of *future adminis-*

* Remarks, p. 25.

trations; when a security is to be had more effectual, more constant, and much less expensive. They, who can be moved by the apprehension of dangers so remote, as that of the future independence of our colonies (a point I shall hereafter consider), seem scarcely consistent with themselves, when they suppose we may rely on the wisdom and vigor of an administration for their safety. I should indeed think it less material whether Canada were ceded to us or not, if I had in view only the security of *possession* in our colonies. I entirely agree with the Remarker, that we are in North America "a far greater continental as well as naval power," and that only cowardice or ignorance can subject our colonies there to a French conquest. But, for the same reason, I disagree with him widely upon another point.

3. *The Blood and Treasure spent in the American Wars, not spent in the Cause of the Colonies alone.*

I do not think, that our "blood and treasure has been expended," as he intimates, "in the cause of the colonies," and that we are, "making conquests for *them;*"* yet I believe this is too common an error. I do not say, they are altogether unconcerned in the event. The inhabitants of them are, in common with the other subjects of Great Britain, anxious for the glory of her crown, the extent of her power and commerce, the welfare and future repose of the whole British people. They could not, therefore, but take a large share in the affronts offered to Britain; and have been animated with a truly British spirit to exert themselves beyond their strength, and against their evident interest. Yet so unfortunate have they been, that their virtue has

* Remarks, p. 25.

made against them; for upon no better foundation than this have they been supposed the authors of a war, carried on for their advantage only.

It is a great mistake to imagine, that the American country in question between Great Britain and France is claimed as the property of any *individual or public body in America;* or that the possession of it by Great Britain is likely, in any lucrative view, to redound at all to the advantage of any person there. On the other hand, the bulk of the inhabitants of North America are land-owners, whose lands are inferior in value to those of Britain, only by the want of an equal number of people. It is true, the accession of the large territory claimed before the war began (especially if that be secured by the possession of Canada) will tend to the increase of the British subjects, faster than if they had been confined within the mountains; yet the increase within the mountains only would evidently make the comparative population equal to that of Great Britain much sooner than it can be expected, when our people are spread over a country six times as large. I think this is the only point of light in which this account is to be viewed, and is the only one in which any of the colonies are concerned.

No colony, no possessor of lands in any colony, therefore, wishes for conquests, or can be benefited by them, otherwise than as they may be a means of securing peace on their borders. No considerable advantage has resulted to the colonies by the conquests of this war, or can result from confirming them by the peace, but what they must enjoy in common with the rest of the British people; with this evident drawback from their share of these advantages, that they will necessarily lessen, or at least prevent the increase of the value of what makes the principal part of their

private property, their land. A people, spread through the whole tract of country, on this side the Mississippi, and secured by Canada in our hands, would probably for some centuries find employment in agriculture, and thereby free us at home effectually from our fears of American manufactures. Unprejudiced men well know, that all the penal and prohibitory laws that were ever thought on will not be sufficient to prevent manufactures in a country, whose inhabitants surpass the number that can subsist by the husbandry of it. That this will be the case in America soon, if our people remain confined within the mountains, and almost as soon should it be unsafe for them to live beyond, though the country be ceded to us, no man acquainted with political and commercial history can doubt. Manufactures are founded in poverty. It is the multitude of poor without land in a country, and who must work for others at low wages or starve, that enables undertakers to carry on a manufacture, and afford it cheap enough to prevent the importation of the same kind from abroad, and to bear the expense of its own exportation.

But no man, who can have a piece of land of his own, sufficient by his labor to subsist his family in plenty, is poor enough to be a manufacturer, and work for a master. Hence, while there is land enough in America for our people, there can never be manufactures to any amount or value. It is a striking observation of a very able pen, that the natural livelihood of the thin inhabitants of a forest country is hunting; that of a greater number, pasturage; that of a middling population, agriculture; and that of the greatest, manufactures; which last must subsist the bulk of the people in a full country, or they must be subsisted by charity, or perish. The extended population, therefore, that is most advantageous to Great Britain, will be best

effected, because only effectually secured, by the possession of Canada.

So far as the *being* of our present colonies in North America is concerned, I think indeed with the Remarker, that the French there are not "*an enemy to be apprehended;*" * but the expression is too vague to be applicable to the present, or indeed to any other case. Algiers, Tunis, and Tripoli, unequal as they are to this nation in power and numbers of people, are enemies to be still apprehended; and the Highlanders of Scotland have been so for many ages, by the greatest princes of Scotland and Britain. The wild Irish were able to give a great deal of disturbance even to Queen Elizabeth, and cost her more blood and treasure than her war with Spain. Canada, in the hands of France, has always stinted the growth of our colonies, in the course of this war, and indeed before it; has disturbed and vexed even the best and strongest of them; has found means to murder thousands of their people, and unsettle a great part of their country. Much more able will it be to starve the growth of an infant settlement. Canada has also found means to make this nation spend two or three millions a year in America; and a people, how small soever, that in their present situation can do this as often as we have a war with them, is, methinks, "an enemy to be apprehended."

Our North American colonies are to be considered as the *frontier of the British empire* on that side. The frontier of any dominion being attacked, it becomes not merely "the cause" of the people immediately attacked, the inhabitants of that frontier, but properly "the cause" of the whole body. Where the frontier people owe and pay obedience, there they have a right to look for protection. No political proposition is

* Remarks, p. 27.

better established than this. It is therefore invidious to represent the "blood and treasure," spent in this war, as spent in "the cause of the colonies" only; and that they are "absurd and ungrateful," if they think we have done nothing, unless we "make conquests for them," and reduce Canada to gratify their "vain ambition," &c. It will not be a conquest for *them*, nor gratify any vain ambition of theirs. It will be a conquest for the *whole;* and all our people will, in the increase of trade, and the ease of taxes, find the advantage of it.

Should we be obliged, at any time, to make a war for the protection of our commerce, and to secure the exportation of our manufactures, would it be fair to represent such a war, merely as blood and treasure spent in the cause of the weavers of Yorkshire, Norwich, or the West; the cutlers of Sheffield, or the button-makers of Birmingham? I hope it will appear, before I end these sheets, that if ever there was a national war, this is truly such a one; a war in which the interest of the whole nation is directly and fundamentally concerned. Those, who would be thought deeply skilled in human nature, affect to discover self-interested views everywhere, at the bottom of the fairest, the most generous conduct. Suspicions and charges of this kind meet with ready reception and belief in the minds even of the multitude, and therefore less acuteness and address than the Remarker is possessed of would be sufficient to persuade the nation generally, that all the zeal and spirit manifested and exerted by the colonies in this war, was only in "their own cause," to "make conquest for themselves," to engage us to make more for them, to gratify their own "vain ambition."

But, should they now humbly address the mother country, in the terms and the sentiments of the

Remarker; return her their grateful acknowledgments for the blood and treasure she had spent in "their cause"; confess that enough had not been done "for them"; allow that "English forts, raised in proper passes, will, with the wisdom and vigor of her administration," be a sufficient future protection; express their desires, that their people may be confined within the mountains, lest, if they be suffered to spread and extend themselves in the fertile and pleasant country on the other side, they should "increase infinitely from all causes," "live wholly on their own labor" and become independent; beg, therefore, that the French may be suffered to remain in possession of Canada, as their neighbourhood may be useful to prevent our increase, and the removing them may "in its consequences be even dangerous";* I say, should such an address from the colonies make its appearance here (though, according to the Remarker, it would be a most just and reasonable one) would it not, might it not, with more justice be answered; "We understand you, Gentlemen, perfectly well; you have only your interest in view; you want to have the people confined within your present limits, that in a few years the lands you are possessed of may increase tenfold in value. You want to reduce the price of labor, by increasing numbers on the same territory, that you may be able to set up manufactures and vie with your mother country. You would have your people kept in a body, that you may be more able to dispute the commands of the crown, and obtain an independency. You would have the French left in Canada, to exercise your military virtue, and make you a warlike people, that you may have more confidence to embark in schemes of disobedience, and greater ability to support them. You have

* Remarks, pp. 50, 51.

tasted, too, the sweets of TWO OR THREE MILLIONS sterling per annum spent among you by our fleets and forces, and you are unwilling to be without a pretence for kindling up another war, and thereby occasioning a repetition of the same delightful doses. But, Gentlemen, allow us to understand *our* interest a little likewise; we shall remove the French from Canada, that you may live in peace, and we be no more drained by your quarrels. You shall have land enough to cultivate, that you may have neither necessity nor inclination to go into manufactures, and we will manufacture for you, and govern you."

A reader of the Remarks may be apt to say, "If this writer would have us restore Canada, on principles of moderation, how can we, consistent with those principles, retain Guadaloupe, which he represents of so much greater value?" I will endeavour to explain this; because, by doing it, I shall have an opportunity of showing the truth and good sense of the answer to the interested application I have just supposed. The author, then, is only apparently and not really inconsistent with himself. If we can obtain the credit of moderation by restoring Canada, it is well; but we should, however, restore it at *all events;* because it would not only be of no use to us; but "the possession of it (in his opinion) may in its consequences be dangerous." * As how? Why, plainly, (at length it comes out) if the French are not left there to check the growth of our colonies, "they will extend themselves almost without bounds into the inland parts, and increase infinitely from all causes; becoming a numerous, hardy, independent people; possessed of a strong country, communicating little or not at all with England, living wholly on their

* Remarks, pp. 50, 51.

own labor, and in process of time knowing little and inquiring little about the mother country."

In short, according to this writer, our present colonies are large enough and numerous enough; and the French ought to be left in North America to prevent their increase, lest they become not only useless, but dangerous to Britain. I agree with the gentleman, that, with Canada in our possession, our people in America will increase amazingly. I know, that their common rate of increase, where they are not molested by the enemy, is doubling their numbers every twenty-five years, by natural generation only; exclusive of the accession of foreigners.* I think this increase continuing would probably, in a century more, make the number of British subjects on that side the water more numerous than they now are on this; but,

4. *Not necessary that the American Colonies should cease being useful to the Mother Country. Their Preference over the West India Colonies stated.* †

I am far from entertaining, on that account, any fears of their becoming either useless or dangerous to us; and I look on those fears to be merely imaginary, and without any probable foundation. The Remarker is

* The reason of this greater increase in America than in Europe is, that, in old settled countries, all trades, farms, offices, and employments are full; and many people refrain from marriage till they see an opening, in which they can settle themselves, with a reasonable prospect of maintaining a family; but in America, it being easy to obtain land, which, with moderate labor will afford subsistence and something to spare, people marry more readily and earlier in life, whence arises a numerous offspring and the swift population of those countries. It is a common error, that we cannot fill our provinces, or increase the number of them, without draining this nation of its people. The increase alone of our present colonies is sufficient for both those purposes.

† It is observable, that the heads of divisions are somewhat awkwardly inserted. They were not contained in the author's original edition, but were subsequently added by another hand, and have since been retained. — EDITOR.

reserved in giving his reasons; as, in his opinion, this "is not a fit subject for discussion." I shall give mine, because I conceive it a subject necessary to be discussed; and the rather, as those fears, now groundless and chimerical soever, may, by possessing the multitude, possibly induce the ablest ministry to conform to them against their own judgment; and thereby prevent the assuring to the British name and nation a stability and permanency, that no man acquainted with history durst have hoped for, till our American possessions opened the pleasing prospect.

The Remarker thinks, that our people in America, "finding no check from Canada, would extend themselves almost without bounds into the inland parts, and increase infinitely from all causes." The very reason he assigns for their so extending, and which is indeed the true one, (their being "invited to it by the pleasantness, fertility, and plenty of the country,") may satisfy us, that this extension will continue to proceed as long as there remains any pleasant, fertile country within their reach. And if we even suppose them confined by the waters of the Mississippi westward, and by those of St. Lawrence and the Lakes to the northward, yet still we shall leave them room enough to increase, even in the manner of settling now practised there, till they amount to perhaps a hundred millions of souls. This must take some centuries to fulfil; and in the mean time this nation must necessarily supply them with the manufactures they consume; because the new settlers will be employed in agriculture; and the new settlements will so continually draw off the spare hands from the old, that our present colonies will not, during the period we have mentioned, find themselves in a condition to manufacture, even for their own inhabit-

ants, to any considerable degree, much less for those who are settling behind them.

Thus our trade must, till that country becomes as fully peopled as England, (that is, for centuries to come,) be continually increasing, and with it our naval power; because the ocean is between us and them, and our ships and seamen must increase as that trade increases.

The human body and the political differ in this; that the first is limited by nature to a certain stature, which, when attained, it cannot ordinarily exceed; the other, by better government and more prudent policy, as well as by the change of manners and other circumstances, often takes fresh starts of growth, after being long at a stand; and may add tenfold to the dimensions it had for ages been confined to. The mother, being of full stature, is in a few years equalled by a growing daughter; but in the case of a mother-country and her colonies, it is quite different. The growth of the children tends to increase the growth of the mother, and so the difference and superiority is longer preserved. Were the inhabitants of this island limited to their present number by any thing in nature, or by unchangeable circumstances, the equality of population between the two countries might indeed sooner come to pass; but sure experience, in those parts of the island where manufactures have been introduced, teaches us, that people increase and multiply in proportion as the means and facility of gaining a livelihood increase; and that this island, if they could be employed, is capable of supporting ten times its present number of people.

In proportion, therefore, as the demand increases for the manufactures of Britain, by the increase of people in her colonies, the number of her people at home will increase; and with them, the strength as well as the

wealth of the nation. For satisfaction in this point, let the reader compare in his mind the number and force of our present fleets with our fleet in Queen Elizabeth's time,* before we had colonies. Let him compare the ancient, with the present state of our towns on or near our western coast (Manchester, Liverpool, Kendal, Lancaster, Glasgow, and the countries round them) that trade with any manufactures for our colonies, (not to mention Leeds, Halifax, Sheffield, and Birmingham,) and consider what a difference there is in the numbers of people, buildings, rents, and the value of land and of the produce of land; even if he goes back no farther than is within man's memory. Let him compare those countries with others on the same island, where manufactures have not yet extended themselves; observe the present difference, and reflect how much greater our strength may be, if numbers give strength, when our manufactures shall occupy every part of the island where they can possibly be subsisted.

But, say the objectors, "there is a *certain distance from the sea*, in America, beyond which the expense of carriage will put a stop to the sale and consumption of your manufactures; and this, with the difficulty of making returns for them, will oblige the inhabitants to manufacture for themselves; of course, if you suffer your people to extend their settlements beyond that distance, your people become useless to you;" and this distance is limited by some to two hundred miles, by others to the Appalachian mountains.

Not to insist on a plain truth, that no part of a dominion, from whence a government may on occasion draw supplies and aids both of men and money, (though

* Namely, forty sail, none of more than forty guns.

at too great a distance to be supplied with manufactures from some other part,) is therefore to be deemed useless to the whole; I shall endeavour to show, that these imaginary limits of utility, even in point of commerce, are much too narrow. The inland parts of the continent of Europe are farther from the sea, than the limits of settlement proposed for America. Germany is full of tradesmen and artificers of all kinds, and the governments there are not all of them always favorable to the commerce of Britain; yet it is a well-known fact, that our manufactures find their way even into the heart of Germany. Ask the great manufacturers and merchants of the Leeds, Sheffield, Birmingham, Manchester, and Norwich goods; and they will tell you, that some of them send their riders frequently through France or Spain, and Italy, up to Vienna, and back through the middle and northern parts of Germany, to show samples of their wares, and collect orders, which they receive by almost every mail to a vast amount. Whatever charges arise on the carriage of goods are added to the value, and all paid by the consumer.

If these nations, over whom we can have no government, over whose consumption we can have no influence, but what arises from the cheapness and goodness of our wares, whose trade, manufactures, or commercial connexions are not subject to the control of our laws, as those of our colonies certainly are in some degree; I say, if these nations purchase and consume such quantities of our goods, notwithstanding the remoteness of their situation from the sea; how much less likely is it, that the settlers in America, who must for ages be employed in agriculture chiefly, should make cheaper for themselves the goods our manufacturers at present supply them with; even if we suppose the

carriage five, six, or seven hundred miles from the sea as difficult and expensive, as the like distance into Germany; whereas in the latter, the natural distances are frequently doubled by political obstructions; I mean the intermixed territories and clashing interests of princes.*

But when we consider, that the inland parts of America are penetrated by great navigable rivers; and there are a number of great lakes, communicating with each other, with those rivers, and with the sea, very small portages here and there excepted;† that the sea-coasts (if one may be allowed the expression) of those lakes only amount at least to two thousand seven hundred miles, exclusive of the rivers running into them, many of which are navigable to a great extent for boats and canoes, through vast tracts of country; how little likely is it, that the expense on the carriage of our goods into those countries should prevent the use of them. If the poor Indians in those remote parts are now able to pay for the linen, woollen, and iron wares they are at present furnished with by the French and English traders, though Indians have nothing but what they get by hunting, and the goods are loaded with all

* Sir C. Whitworth has the following assertion; "Each state in Germany is jealous of its neighbours; and hence, rather than facilitate the export or transmit of its neighbour's products or manufactures, they have all recourse to strangers."—*State of Trade*, p. xxiv.—B. V.

† From New York into Lake Ontario, the land-carriage of the several portages altogether amounts to but about twenty-seven miles. From Lake Ontario into Lake Erie, the land-carriage at Niagara is but about twelve miles. All the lakes above Niagara communicate by navigable straits, so that no land-carriage is necessary, to go out of one into another. From Presqu' Isle on Lake Erie, there are but fifteen miles land-carriage, and that a good wagon-road, to Beef River, a branch of the Ohio; which brings you into a navigation of many thousand miles inland, if you take together the Ohio, the Mississippi, and all the great rivers and branches that run into them.

the impositions fraud and knavery can contrive to enhance their value, will not industrious English farmers, hereafter settled in those countries, be much better able to pay for what shall be brought them in the way of fair commerce?

If it is asked, What can such farmers raise, wherewith to pay for the manufactures they may want from us? I answer, that the inland parts of America in question are well known to be fitted for the production of hemp, flax, potash, and, above all, silk; the southern parts may produce olive-oil, raisins, currants, indigo, and cochineal; not to mention horses and black cattle, which may easily be driven to the maritime markets, and at the same time assist in conveying other commodities. That the commodities first mentioned may easily, by water and land carriage, be brought to the sea-ports from interior America, will not seem incredible, when we reflect, that *hemp* formerly came from the Ukraine, the most southern parts of Russia, to Wologda, and down the Dwina to Archangel; and thence, by a perilous navigation, round the North Cape to England and other parts of Europe. It now comes from the same country up the Dnieper, and down the Duna, with much land-carriage. Great part of the Russia *iron*, no high-priced commodity, is brought three hundred miles by land and water from the heart of Siberia. *Furs* (the produce too of America) are brought to Amsterdam from all parts of Siberia, even the most remote, Kamtschatka. The same country furnishes me with another instance of extended inland commerce.

It is found worth while to keep up a mercantile communication between Pekin in China, and Petersburg. And none of these instances of inland commerce exceed those of the courses by which, at several periods, *the whole of the trade of the East* was carried on. Before

the prosperity of the Mameluke dominion in Egypt fixed the staple for the riches of the East at Cairo and Alexandria, (whither they were brought from the Red Sea,) great part of those commodities were carried to the cities of Cashgar and Balk. This gave birth to those towns, that still subsist upon the remains of their ancient opulence, amidst a people and country equally wild. From thence those goods were carried down the Amû (the ancient Oxus) to the Caspian Sea, and up the Wolga to Astrachan; from whence they were carried over to and down the Don, to the mouth of that river; and thence again the Venetians directly, and the Genoese and Venetians indirectly, by way of Kaffa and Trebisond, dispersed them through the Mediterranean and some other parts of Europe.

Another part of those goods was carried over land from the Wolga to the rivers Duna and Neva; from both they were carried to the city of Wisbuy in the Baltic (so eminent for its sea-laws); and from the city of Ladoga on the Neva, we are told, they were even carried by the Dwina to Archangel; and from thence round the North Cape. If iron and hemp will bear the charge of carriage from this inland country, other metals will, as well as iron; and certainly silk, since three pence per pound is not above one per cent on the value, and amounts to twenty-eight pounds per ton. If the *growths* of a country find their way out of it, the *manufactures* of the country where they go will infallibly find their way into it.

They who understand the economy and principles of manufactures know, that it is impossible to establish them in places not populous; and, even in those that are populous, hardly possible to establish them to the prejudice of the places *already in possession of them.* Several attempts have been made in France and Spain,

countenanced by government, to draw from us, and establish in those countries, our hardware and woollen manufactures; but without success.

The reasons are various. A manufacture is part of a great system of commerce, which takes in conveniences of various kinds; methods of providing materials of all sorts, machines for expediting and facilitating labor, all the channels of correspondence for vending the wares, the credit and confidence necessary to found and support this correspondence, the mutual aid of different artisans, and a thousand other particulars, which time and long experience have gradually established. A part of such a system cannot support itself without the whole; and before the whole can be obtained the part perishes. Manufactures, where they are in perfection, are carried on by a multiplicity of hands, each of which is expert only in his own part; no one of them a master of the whole; and, if by any means spirited away to a foreign country, he is lost without his fellows. Then it is a matter of the extremest difficulty to persuade a complete set of workmen, skilled in all parts of a manufactory, to leave their country together, and settle in a foreign land. Some of the idle and drunken may be enticed away; but these only disappoint their employers, and serve to discourage the undertaking. If by royal munificence, and an expense that the profits of the trade alone would not bear, a complete set of good and skilful hands are collected and carried over, they find so much of the system imperfect, so many things wanting to carry on the trade to advantage, so many difficulties to overcome, and the knot of hands so easily broken by death, dissatisfaction, and desertion, that they and their employers are discouraged together, and the project vanishes into smoke.

Hence it happens, that established manufactures are

hardly ever lost, but by foreign conquest, or by some eminent interior fault in manners or government; a bad police oppressing and discouraging the workmen, or religious persecutions driving the sober and industrious out of the country. There is, in short, scarce a single instance in history of the contrary, where manufactures have once taken firm root. They sometimes start up in a new place; but are generally supported, like exotic plants, at more expense than they are worth for any thing but curiosity; until these new seats become the refuge of the manufacturers driven from the old ones.

The conquest of Constantinople, and final reduction of the Greek empire, dispersed many curious manufacturers into different parts of Christendom. The former conquests of its provinces, had before done the same. The loss of liberty in Verona, Milan, Florence, Pisa, Pistoia, and other great cities of Italy, drove the manufacturers of woollen cloths into Spain and Flanders. The latter first lost their trade and manufactures to Antwerp and the cities of Brabant; from whence, by persecution for religion, they were sent into Holland and England; while the civil wars, during the minority of Charles the First of Spain, which ended in the loss of the liberty of their great towns, ended too in the loss of the manufactures of Toledo, Segovia, Salamanca, Medina del Campo, &c. The revocation of the *Edict of Nantz* communicated to all the Protestant part of Europe, the paper, silk, and other valuable manufactures of France; almost peculiar at that time to that country, and till then in vain attempted elsewhere.

To be convinced, that it is not soil and climate, nor even freedom from taxes, that determines the residence of manufacturers, we need only turn our eyes on Holland; where a multitude of manufactures are still carried on, perhaps more than on the same extent of

territory anywhere in Europe, and sold on terms upon which they cannot be had in any other part of the world. And this too is true of those *growths*, which, by their nature and the labor required to raise them, come the nearest to manufactures.

As to the commonplace objection to the North American settlements, that they are *in the same climate, and their produce the same, as that of England;* in the first place, it is not true; it is particularly not so of the countries now likely to be added to our settlements; and of our present colonies, the products, lumber, tobacco, rice, and indigo, great articles of commerce, do not interfere with the products of England; in the next place, a man must know very little of the trade of the world, who does not know, that the greater part of it is carried on between countries whose climates differ very little. Even the trade between the different parts of these British Islands is greatly superior to that between England and all the West India Islands put together.

If I have been successful in proving, that a considerable commerce may and will subsist between us and our future most inland settlements in North America, notwithstanding their distance, I have more than half proved, that no *other inconveniency will arise* from their distance. Many men in such a country must "know," must "think," and must "care" about the country they chiefly trade with. The juridical and other connexions of government are yet a faster hold than even commercial ties, and spread, directly and indirectly, far and wide. Business to be solicited and causes depending create a great intercourse, even where private property is not divided in different countries; yet this division will always subsist, where different countries are ruled by the same government. Where a man has landed property, both in the mother country and the

province, he will almost always live in the mother country. This, though there were no trade, is singly a sufficient gain. It is said, that Ireland pays near a million sterling annually to its absentees in England. The balance of trade from Spain, or even Portugal, is scarcely equal to this.

Let it not be said we have *no absentees* from North America. There are many, to the writer's knowledge; and, if there are at present but few of them, that distinguish themselves here by great expense, it is owing to the mediocrity of fortune among the inhabitants of the northern colonies, and a more equal division of landed property, than in the West India Islands, so that there are as yet but few large estates. But if those, who have such estates, reside upon and take care of them themselves, are they worse subjects than they would be if they lived idly in England?

Great merit is assumed for the gentlemen of the West Indies,* on the score of their residing and spending their money in England. I would not depreciate that merit; it is considerable; for they might, if they pleased, spend their money in France; but the difference between their spending it here and at home is not so great. What do they spend it in when they are here, but the produce and manufactures of this country? and would they not do the same if they were at home? Is it of any great importance to the English farmer, whether the West India gentleman comes to London and eats his beef, pork, and tongues, fresh; or has them brought to him in the West Indies, salted? Whether he eats his English cheese and butter, or drinks his English ale, at London or in Barbadoes? Is the clothier's, or the mercer's, or the cutler's, or the

* Remarks, pp. 47, 48, &c.

toyman's profit less, for their goods being worn and consumed by the same persons residing on the other side of the ocean? Would not the profits of the merchant and mariner be rather greater, and some addition made to our navigation, ships, and seamen? If the North American gentleman stays in his own country, and lives there in that degree of luxury and expense, with regard to the use of British manufactures, that his fortune enables him to do, may not his example, from the imitation of superiors so natural to mankind, spread the use of those manufactures among hundreds of families around him, and occasion a much greater demand for them, than it would do if he should remove and live in London?

However this may be, if, in our views of immediate advantage, it seems preferable, that the gentlemen of large fortunes in North America should reside much in England, it is what may surely be expected, as fast as such fortunes are acquired there. Their having "colleges of their own for the education of their youth," will not prevent it. A little knowledge and learning acquired increases the appetite for more, and will make the conversation of the learned on this side the water more strongly desired. Ireland has its university likewise; yet this does not prevent the immense pecuniary benefit we receive from that kingdom. And there will always be, in the conveniencies of life, the politeness, the pleasures, the magnificence of the reigning country, many other attractions besides those of learning, to draw men of substance there, where they can, apparently at least, have the best bargain of happiness for their money.

Our trade to the West India Islands is undoubtedly a valuable one; but, whatever is the amount of it, it has

long been at a stand. Limited as our sugar planters are by the scantiness of territory, they cannot increase much beyond their present number; and this is an evil, as I shall show hereafter, that will be little helped by our keeping Guadaloupe.

The trade to our northern colonies is not only greater, but yearly increasing with the increase of the people; and even in a greater proportion, as the people increase in wealth and the ability of spending, as well as in numbers.* I have already said, that our

* The writer has obtained accounts of the exports to North America and the West India Islands, by which it appears, that there has been some increase of trade to those Islands, as well as to North America, though in a much less degree. The following extract from these accounts will show the reader, at one view, the amount of the exports to each, in two different terms of five years; the terms taken at ten years' distance from each other, to show the increase, viz.

First term, from 1744 *to* 1748, *inclusive.*

	Northern Colonies.	West India Islands.
1744	£ 640,114 12 4	£ 796,112 17 9
1745	534,316 2 5	503,669 19 9
1746	754,945 4 3	472,994 16 7
1747	726,648 5 5	856,463 18 6
1748	830,243 16 9	734,095 15 3
Total,	3,486,261 1 2	3,353,337 10 10
	Difference,	122,930 10 4
		£ 3,486,268 1 2

Second term, from 1754 *to* 1758, *inclusive.*

	Northern Colonies.	West India Islands.
1754	£ 1,246,615 1 11	£ 685,675 3 0
1755	1,177,848 6 10	694,667 13 3
1756	1,428,720 18 10	733,458 16 3
1757	1,727,924 2 10	776,488 0 6
1758	1,832,948 13 10	877,571 19 11
Total,	7,414,057 4 3	3,767,841 12 11
	Difference,	3,646,215 11 4
		£ 7,414,057 4 3

people in the northern colonies double in about twenty-five years, exclusive of the accession of strangers. That I speak within bounds, I appeal to the authentic accounts frequently required by the Board of Trade, and transmitted to that Board by the respective governors; of which accounts I shall select one as a sample, being that from the colony of Rhode Island;* a

In the first term, total of West India Islands,	£ 3,363,337	10	10
In the second term ditto	3,767,841	12	11
Increase, only	£ 404,504	2	1
In the first term, total for the northern colonies,	3,486,268	1	2
In the second term, ditto	7,414,057	4	3
Increase,	£ 3,927, 789	3	1

By these accounts it appears, that the exports to the West India Islands, and to the northern colonies, were in the first term nearly equal (the difference being only £ 122,936 10*s.* 4*d.*), and in the second term, the exports to those islands had only increased £ 404,504 2*s.* 1*d.* Whereas the increase to the northern colonies is £ 3,927,789 3*s.* 1*d.*, almost *four millions.*

Some part of this increased demand for English goods may be ascribed to the armies and fleets we have had both in North America and the West Indies; and so much for what is consumed by the soldiery; their clothing, stores, ammunition, &c. sent from hence on account of the government, being (as is supposed) not included in these accounts of merchandise exported; but, as the war has occasioned a great plenty of money in America, many of the inhabitants have increased their expense.

N. B. These accounts do not include any exports from Scotland to America, which are doubtless proportionably considerable; nor the exports from Ireland.

* *Copy of the Report of Governor Hopkins to the Board of Trade, on the Numbers of People in Rhode Island.*

In obedience to your Lordship's commands, I have caused the within account to be taken by officers under oath. By it there appears to be in this colony at this time 35,939 white persons, and 4,697 blacks, chiefly negroes.

In the year 1730, by order of the then Lords Commissioners of Trade and Plantations, an account was taken of the number of people in this colony, and then there appeared to be 15,302 white persons, and 2,633 blacks.

colony that of all the others receives the least addition from strangers. For the increase of our trade to those colonies, I refer to the accounts frequently laid before Parliament, by the officers of the customs, and to the custom-house books; from which I have also selected one account, that of the trade from England, exclusive of Scotland, to Pennsylvania;* a colony most remarkable for the plain frugal manner of living of its inhabitants, and the most suspected of carrying on manufactures, on account of the number of German artisans who are known to have transplanted themselves into that country; though even these, in truth, when they come there, generally apply themselves to agriculture, as the surest support and most advantageous employment.

By this account it appears, that the exports to that province have, in twenty-eight years, increased nearly in the proportion of seventeen to one; whereas the

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Again in the year 1748, by like order, an account was taken of the number of people in this colony, by which it appears there were at that time 29,755 white persons, and 4,373 blacks.

STEPHEN HOPKINS.

Colony of Rhode Island, December 24th, 1755.

* *An Account of the Value of the Exports from England to Pennsylvania, in one Year, taken at different Periods, viz.*

In 1723 they amounted only to	£ 15,992	19	4
1730 they were . .	48,592	7	5
1737	56,690	6	7
1742	75,295	3	4
1747	82,404	17	7
1752	201,666	19	11
1757	268,426	6	6

N. B. The accounts for 1758 and 1759 were not then completed; but those acquainted with the North American trade know, that the increase in those two years had been in a still greater proportion; the last year being supposed to exceed any former year by a third; and this owing to the increased ability of the people to spend, from the greater quantities of money circulating among them by the war.

people themselves, who by other authentic accounts appear to double their numbers (the strangers who settle there included) in about sixteen years, cannot in the twenty-eight years have increased in a greater proportion than as four to one. The additional demand, then, and consumption of goods from England, of thirteen parts in seventeen, more than the additional number would require, must be owing to this; that the people, having by their industry mended their circumstances, are enabled to indulge themselves in finer clothes, better furniture, and a more general use of all our manufactures than heretofore.

In fact, the occasion for English goods in North America, and the inclination to have and use them, is, and must be for ages to come, much greater than the ability of the people to pay for them; they must therefore, as they now do, deny themselves many things they would otherwise choose to have, or increase their industry to obtain them. And thus, if they should at any time manufacture some coarse article, which, on account of its bulk or some other circumstance, cannot so well be brought to them from Britain; it only enables them the better to pay for finer goods, that otherwise they could not indulge themselves in; so that the exports thither are not diminished by such manufacture, but rather increased. The single article of manufacture in these colonies, mentioned by the Remarker, is *hats* made in New England. It is true, there have been, ever since the first settlement of that country, a few hatters there; drawn thither probably at first by the facility of getting beaver, while the woods were but little cleared, and there was plenty of those animals. The case is greatly altered now. The beaver skins are not now to be had in New England, but from very remote places and at great prices. The trade is

accordingly declining there; so that, far from being able to make hats in any quantity for exportation, they cannot supply their home demand; and it is well known, that some thousand dozens are sent thither yearly from London, Bristol, and Liverpool, and sold cheaper than the inhabitants can make them of equal goodness.

In fact, the colonies are so little suited for establishing of manufacture, that they are continually losing the few branches they accidentally gain. The working braziers, cutlers, and pewterers, as well as hatters, who have happened to go over from time to time and settle in the colonies, gradually drop the working part of their business, and import their respective goods from England, whence they can have them cheaper and better than they can make them. They continue their shops indeed, in the same way of dealing; but become *sellers* of braziery, cutlery, pewter, hats, &c. brought from England, instead of being *makers* of those goods.

5. *The American Colonies not dangerous in their Nature to Great Britain.*

Thus much as to the apprehension of our colonies becoming useless to us. I shall next consider the other supposition, that their growth may render them *dangerous*. Of this, I own, I have not the least conception, when I consider that we have already *fourteen separate governments* on the maritime coast of the continent; and, if we extend our settlements, shall probably have as many more behind them on the inland side. Those we now have are not only under different governors, but have different forms of government, different laws, different interests, and some of them different religious persuasions, and different manners.

Their jealousy of each other is so great, that, how-

ever necessary a union of the colonies has long been, for their common defence and security against their enemies, and how sensible soever each colony has been of that necessity; yet they have never been able to effect such a union among themselves, nor even to agree in requesting the mother country to establish it for them. Nothing but the immediate command of the crown has been able to produce even the imperfect union, but lately seen there, of the forces of some colonies. If they could not agree to unite for their defence against the French and Indians, who were perpetually harassing their settlements, burning their villages, and murdering their people; can it reasonably be supposed there is any danger of their uniting against their own nation, which protects and encourages them, with which they have so many connexions and ties of blood, interest, and affection, and which, it is well known, they all love much more than they love one another?

In short, there are so many causes that must operate to prevent it, that I will venture to say, a union amongst them for such a purpose is not merely improbable, it is impossible. And if the union of the whole is impossible, the attempt of a part must be madness; as those colonies, that did not join the rebellion, would join the mother country in suppressing it. When I say such a union is impossible, I mean, without the most grievous tyranny and oppression. People, who have property in a country which they may lose, and privileges which they may endanger, are generally disposed to be quiet, and even to bear much, rather than hazard all. While the government is mild and just, while important civil and religious rights are secure, such subjects will be dutiful and obedient. *The waves do not rise but when the winds blow.*

What such an administration, as the Duke of Alva's in the Netherlands, might produce, I know not; but this I think I have a right to deem impossible. And yet there were two very manifest differences between that case and ours; and both are in our favor. The first, that Spain had already united the seventeen provinces under one visible government, though the States continued independent; the second, that the inhabitants of those provinces were of a nation, not only different from, but utterly unlike the Spaniards. Had the Netherlands been peopled from Spain, the worst of oppression had probably not provoked them to wish a separation of government. It might, and probably would, have ruined the country; but would never have produced an independent sovereignty. In fact, neither the very worst of governments, the worst of politics in the last century, nor the total abolition of their remaining liberty, in the provinces of Spain itself, in the present, have produced any independency in Spain, that could be supported. The same may be observed of France.

And let it not be said, that the neighbourhood of these to the seat of government has prevented a separation. While our strength at sea continues, the banks of the Ohio, in point of easy and expeditious conveyance of troops, are nearer to London, than the remote parts of France and Spain to their respective capitals; and much nearer than Connaught and Ulster were in the days of Queen Elizabeth. Nobody foretells the dissolution of the Russian monarchy from its extent; yet I will venture to say, the eastern parts of it are already much more inaccessible from Petersburg, than the country on the Mississippi is from London; I mean, more men, in less time, might be conveyed to the latter than the former distance. The rivers Oby, Jenessa,

and Lena do not facilitate the communication half so well by their course, nor are they half so practicable as the American rivers. To this I shall only add the observation of Machiavel, in his "Prince"; that a government seldom long preserves its dominion over those who are foreigners to it; who, on the other hand, fall with great ease, and continue inseparably annexed to the government of their own nation; which he proves by the fate of the English conquests in France. Yet with all these disadvantages, so difficult is it to overturn an established government, that it was not without the assistance of France and England, that the United Provinces supported themselves; which teaches us, that,

6. *The French remaining in Canada, an Encouragement to Disaffections in the British Colonies. If they prove a Check, that Check of the most barbarous Nature.*

If the visionary danger of independence in our colonies is to be feared, nothing is more likely to render it substantial, than the neighbourhood of foreigners at enmity with the sovereign governments, capable of giving either aid,* or an asylum, as the event shall require.

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* The *aid* Dr. Franklin alludes to must probably have consisted in early and full supplies of arms, officers, intelligence, and trade of export and of import, through the River St. Lawrence, on risks both public and private; in the encouragement of splendid promises and a great ally; in the passage from Canada to the back settlements being *shut* to the British forces; in the quiet of the great body of Indians; in the support of emissaries and discontented citizens; in loans and subsidies to Congress, in ways profitable to France; in a refuge to be granted them in case of defeat, in vacant lands, as settlers; in the probability of war commencing earlier between England and France, at the Gulf of St. Lawrence (when the shipping taken were rightfully addressed to Frenchmen) than in the present case. All this might have happened, as soon as America's distaste of England had exceeded the fear of the foreign nation; a circumstance frequently seen possible in history, and which the British ministers took care should not be wanting.

This explanation would have been superfluous, had not the opinion

Yet against even these disadvantages, did Spain preserve almost ten provinces, merely through their want of union; which, indeed, could never have taken place among the others, but for causes, some of which are in our case impossible, and others it is impious to suppose possible.

The Romans well understood that policy, which teaches the security arising to the chief government from separate states among the governed; when they restored the liberties of the States of Greece (oppressed but united under Macedon) by an edict, that every State should live under its own laws.* They did not even name a governor. Independence of each other and separate interests (though among a people united by common manners, language, and I may say religion; inferior neither in wisdom, bravery, nor their love of liberty, to the Romans themselves;) were all the security the sovereigns wished for their sovereignty.

It is true, they did not call themselves sovereigns; they set no value on the title; they were contented with possessing the thing. And possess it they did, even without a standing army. What can be a stronger proof of the security of their possession? And yet, by a policy similar to this throughout, was the Roman world subdued and held; a world composed of above a hundred languages and sets of man-

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been very general in England, that, *had not the French been removed from Canada, the revolt of America never would have taken place.* Why, then, were the French *not left* in Canada at the peace of 1763? Or, since they were not left there, why was the American dispute begun? Yet, in one sense, perhaps this opinion is true; for *had* the French been left in Canada, the English ministers would not only have sooner felt, but sooner have seen, the strange fatality of their plans.—B. V.

* "Omnes Græcorum civitates, quæ in Europâ, quæque in Asiâ essent, libertatem ac suas leges haberent," &c.—Liv. lib. xxxiii. cap. 30.

ners, different from those of their masters.* Yet this dominion was unshakable, till the loss of liberty and corruption of manners in the sovereign State overturned it.

But what is the prudent policy inculcated by the Remarker to obtain this end, security of dominion over our colonies? It is, to leave the French in Canada to "check" their growth; for otherwise, our people may "increase infinitely from all causes."† We have already seen in what manner the French and their Indians check the growth of our colonies. It is a modest word, this *check*, for massacring men, women, and children! The writer would, if he could, hide from himself, as well as from the public, the horror arising from such a proposal, by couching it in general terms. It is no wonder he thought it a "subject not fit for discussion" in his letter; though he recommends it as "a point, that should be the constant object of the minister's attention!"

But, if Canada is restored on this principle, will not Britain be guilty of all the blood to be shed, all the

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* When the Romans had subdued Macedon and Illyricum, they were both formed into republics by a decree of the Senate, and Macedon was thought safe from the danger of a revolution, by being divided into a division common among the Romans, as we learn from the tetrarchs in Scripture. "Omnium primum liberos esse placebat Macedonas atque Illyrios; ut omnibus gentibus appareret, arma populi Romani non liberis servitutem, sed contra servientibus libertatem afferre; ut et in libertate gentes quæ essent, tutam eam sibi perpetuamque sub tutelâ populi Romani esse; et, quæ sub regibus viverent, et in presens tempus mitiores eos justioresque respectu populi Romani habere se, et, si quando bellum cum populo Romano regibus fuisset suis, exitum ejus victoriam Romanis, sibi libertatem, allaturum crederent. . . . . In quatuor regiones describi Macedoniam, ut suum quæque concilium haberet, placuit; et dimidium tributi, quàm quod regibus ferre soliti erant, populo Romano pendere. Similia his et in Illyricum mandata." — Liv. lib. xlv. cap. 18.

† Remarks, pp. 50, 51.

murders to be committed, in order to check this dreaded growth of our own people? Will not this be telling the French in plain terms, that the horrid barbarities they perpetrate with Indians on our colonists are agreeable to us; and that they need not apprehend the resentment of a government, with whose views they so happily concur? Will not the colonies view it in this light? Will they have reason to consider themselves any longer as subjects and children, when they find their cruel enemies hallooed upon them by the country from whence they sprung; the government that owes them protection, as it requires their obedience? Is not this the most likely means of driving them into the arms of the French, who can invite them by an offer of security, their own government chooses not to afford them? I would not be thought to insinuate, that the Remarker wants humanity. I know how little many good-natured persons are affected by the distresses of people at a distance, and whom they do not know. There are even those, who, being present, can sympathize sincerely with the grief of a lady on the sudden death of a favorite bird; and yet can read of the sinking of a city in Syria with very little concern.

If it be, after all, thought necessary to check the growth of our colonies, give me leave to propose a method less cruel. It is a method of which we have an example in Scripture. The murder of husbands, of wives, of brothers, sisters, and children, whose pleasing society has been for some time enjoyed, affects deeply the respective surviving relations; but grief for the death of a child just born is short and easily supported. The method I mean is that, which was dictated by the Egyptian policy, when the "infinite increase" of the children of Israel was apprehended as dangerous to

the State.* Let an act of Parliament then be made, enjoining the colony midwives to stifle in the birth every third or fourth child. By this means you may keep the colonies to their present size. And if they were under the hard alternative of submitting to one or the other of these schemes for checking their growth, I dare answer for them, they would prefer the latter.

But all this debate about the propriety or impropriety of keeping or restoring Canada is possibly too early. We have taken the capital indeed, but the country is yet far from being in our possession; and perhaps never will be; for, if our ministers are persuaded by such counsellors as the Remarker, that the French there are "not the worst of neighbours," and that, if we had conquered Canada, we ought, for our own sakes, to restore it, as a check to the growth of our colonies, I am then afraid we shall never take it. For there are many ways of avoiding the completion of the conquest, that will be less exceptionable and less odious than the giving it up.

7. *Canada easily peopled without draining Great Britain of any of its Inhabitants.*

The objection I have often heard, that, if we had Canada, we could not people it without draining Britain of its inhabitants, is founded on ignorance of the nature of population in new countries. When we first began to colonize in America, it was necessary to send

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* "And Pharaoh said unto his people, Behold, the people of the children of Israel are more and mightier than we; come on, let us deal wisely with them, lest they multiply, and it come to pass, that, when there falleth out any war, they join also unto our enemies and fight against us, and so get them up out of the land. And the king spake to the Hebrew midwives," &c. — *Exodus*, ch. i.

people, and to send seed-corn; but it is not now necessary that we should furnish, for a new colony, either the one or the other. The annual increment alone of our present colonies, without diminishing their numbers, or requiring a man from hence, is sufficient in ten years to fill Canada with double the number of English, that it now has of French inhabitants.* Those who are Protestants among the French will probably choose to remain under the English government; many will choose to remove, if they can be allowed to sell their lands, improvements, and effects; the rest in that thin-settled country will in less than half a century, from the crowds of English settling round and among them, be blended and incorporated with our people both in language and manners.

8. *The Merits of Guadaloupe to Great Britain overvalued, yet likely to be paid much dearer for, than Canada.*

In Guadaloupe the case is somewhat different; and though I am far from thinking† we have sugar-land enough,‡ I cannot think Guadaloupe is so desirable an increase of it, as other objects the enemy would probably be infinitely more ready to part with. A country, fully inhabited by any nation, is no proper possession for

* In fact, there have not gone from Britain itself to our colonies, these twenty years past, to settle there, so many as ten families a year; the new settlers are either the offspring of the old, or emigrants from Germany or the north of Ireland.

† Remarks, pp. 30, 34.

‡ It is often said, we have plenty of sugar-land still unemployed in Jamaica; but those who are well acquainted with that island know, that the remaining vacant land in it is generally situated among mountains, rocks, and gullies, that make carriage impracticable, so that no profitable use can be made of it; unless the price of sugars should so greatly increase, as to enable the planter to make very expensive roads, by blowing up rocks, erecting bridges, &c., every two or three hundred yards.

another of different languages, manners, and religion. It is hardly ever tenable at less expense than it is worth. But the isle of Cayenne, and its appendix, Equinoctial France, having but very few inhabitants, and these therefore easily removed, would indeed be an acquisition every way suitable to our situation and desires. This would hold all that migrate from Barbadoes, the Leeward Islands, or Jamaica. It would certainly recall into an English government, in which there would be room for millions, all who have before settled or purchased in Martinico, Guadaloupe, Santa Cruz, or St. John's; except such as know not the value of an English government, and such I am sure are not worth recalling.

But should we keep Guadaloupe, we are told it would enable us to export £300,000 in sugars. Admit it to be true, though perhaps the amazing increase of English consumption might stop most of it here; to whose profit is this to redound? To the profit of the French inhabitants of the island; except a small part, that should fall to the share of the English purchasers, but whose whole purchase-money must first be added to the wealth and circulation of France. I grant, however, much of this £300,000 would be expended in British manufactures. Perhaps, too, a few of the landowners of Guadaloupe might dwell and spend their fortunes in Britain, though probably much fewer than of the inhabitants of North America. I admit the advantage arising to us from these circumstances, as far as they go, in the case of Guadaloupe, as well as in that of our other West India settlements. Yet even this consumption is little better than that of an allied nation would be, who should take our manufactures and supply us with sugar, and put us to no great expense in defending the place of growth.

But, though our own colonies expend among us almost the whole produce of our sugar,* can we, or ought we to promise ourselves this will be the case of Guadaloupe? One £100,000 will supply them with British manufactures; and supposing we can effectually prevent the introduction of those of France, which is morally impossible in a country used to them, the other £200,000 will still be spent in France, in the education of their children and support of themselves; or else be laid up there, where they will always think their home to be.

Besides this consumption of British manufactures, much is said of the benefit we shall have from the situation of Guadaloupe; and we are told of a trade to the Caraccas and Spanish Main. In what respect Guadaloupe is better situated for this trade than Jamaica, or even our other islands, I am at a loss to guess. I believe it to be not so well situated for that of the windward coast, as Tobago and St. Lucia; which in this, as well as other respects, would be more valuable possessions, and which, I doubt not, the peace will secure to us. Nor is it nearly so well situated for that of the rest of the Spanish Main as Jamaica. As to the greater safety of our trade by the possession of Guadaloupe, experience has convinced us, that in reducing a single island, or even more, we stop the privateering business but little. Privateers still subsist, in equal if not greater numbers, and carry the vessels into Martinico, which before it was more convenient to carry into Guadaloupe. Had we all the Caribbees, it is true, they would in those parts be without shelter.

Yet, upon the whole, I suppose it to be a doubtful point, and well worth consideration, whether our obtain-

* Remarks, p. 47.

ing possession of all the Caribbees would be more than a temporary benefit; as it would necessarily soon fill the French part of Hispaniola with French inhabitants, and thereby render it five times more valuable in time of peace, and little less than impregnable in time of war, and would probably end in a few years in the uniting the whole of that great and fertile island under a French government. It is agreed on all hands, that our conquest of St. Christopher's, and driving the French from thence, first furnished Hispaniola with skilful and substantial planters, and was consequently the first occasion of its present opulence. On the other hand, I will hazard an opinion, that, valuable as the French possessions in the West Indies are, and undeniable as the advantages they derive from them, there is somewhat to be weighed in the opposite scale. They cannot at present make war with England, without exposing those advantages, while divided among the numerous islands they now have, much more than they would, were they possessed of St. Domingo only; their own share of which would, if well cultivated, grow more sugar than is now grown in all their West India Islands.

I have before said, I do not deny the utility of the conquest, or even of our future possession of Guadaloupe, if not bought too dear. The trade of the West Indies is one of our most valuable trades. Our possessions there deserve our greatest care and attention. So do those of North America. I shall not enter into the invidious task of comparing their due estimation. It would be a very long and a very disagreeable one, to run through every thing material on this head. It is enough to our present point, if I have shown, that the value of North America is capable of an immense increase, by an acquisition and measures, that must neces-

sarily have an effect the direct contrary of what we have been industriously taught to fear; and that Guadaloupe is, in point of advantage, but a very small addition to our West India possessions; rendered many ways less valuable to us, than it is to the French, who will probably set more value upon it, than upon a country [Canada] that is much more valuable to us than to them.

There is a great deal more to be said on all the parts of these subjects; but, as it would carry me into a detail, that I fear would tire the patience of my readers, and which I am not without apprehensions I have done already, I shall reserve what remains till I dare venture again on the indulgence of the public.*

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* Dr. Franklin has often been heard to say, that in writing this pamphlet he received considerable assistance from a learned friend, who was not willing to be named. — B. V.

It is stated, on the authority of William T. Franklin, that the friend here alluded to was Richard Jackson. — EDITOR.

A

NARRATIVE

OF THE LATE MASSACRES,

IN LANCASTER COUNTY,

OF A

NUMBER OF INDIANS, FRIENDS OF THIS PROVINCE,

BY PERSONS UNKNOWN.

WITH SOME OBSERVATIONS ON THE SAME.

FIRST PRINTED AT PHILADELPHIA, IN THE YEAR 1764.

THESE Indians were the remains of a tribe of the Six Nations, settled at Conestogo, and thence called Conestogo Indians. On the first arrival of the English in Pennsylvania, messengers from this tribe came to welcome them, with presents of venison, corn, and skins; and the whole tribe entered into a treaty of friendship with the first proprietor, William Penn, which was to last "as long as the sun should shine, or the waters run in the rivers."

This treaty has been since frequently renewed, and the chain brightened, as they express it, from time to time. It has never been violated, on their part or ours, till now. As their lands by degrees were mostly purchased, and the settlements of the white people began to surround them, the proprietor assigned them lands on the manor of Conestogo, which they might not part with; there they have lived many years in friendship

with their white neighbours, who loved them for their peaceable inoffensive behaviour.

It has always been observed, that Indians settled in the neighbourhood of white people do not increase, but diminish continually. This tribe accordingly went on diminishing, till there remained in their town on the manor but twenty persons, viz. seven men, five women, and eight children, boys and girls.

Of these, Shehaes was a very old man, having assisted at the second treaty held with them, by Mr. Penn, in 1701, and ever since continued a faithful and affectionate friend to the English. He is said to have been an exceeding good man, considering his education, being naturally of a most kind, benevolent temper.

Peggy was Shehaes's daughter; she worked for her aged father, continuing to live with him, though married, and attended him with filial duty and tenderness.

John was another good old man; his son Harry helped to support him.

George and Will Soc were two brothers, both young men.

John Smith, a valuable young man of the Cayuga nation, who became acquainted with Peggy, Shehaes's daughter, some few years since, married, and settled in that family. They had one child, about three years old.

Betty, a harmless old woman; and her son Peter, a likely young lad.

Sally, whose Indian name was Wyanjoy, a woman much esteemed by all that knew her, for her prudent and good behaviour in some very trying situations of life. She was a truly good and an amiable woman, had no children of her own; but, a distant relation dying, she had taken a child of that relation's, to bring up as her own, and performed towards it all the duties of an affectionate parent.

The reader will observe, that many of their names are English. It is common with the Indians, that have an affection for the English, to give themselves and their children the names of such English persons as they particularly esteem.

This little society continued the custom they had begun, when more numerous, of addressing every new governor, and every descendant of the first proprietor, welcoming him to the province, assuring him of their fidelity, and praying a continuance of that favor and protection they had hitherto experienced. They had accordingly sent up an address of this kind to our present governor, on his arrival; but the same was scarce delivered, when the unfortunate catastrophe happened, which we are about to relate.

On Wednesday, the 14th of December, 1763, fifty-seven men, from some of our frontier townships, who had projected the destruction of this little commonwealth, came, all well mounted, and armed with firelocks, hangers, and hatchets, having travelled through the country in the night, to Conestogo manor. There they surrounded the small village of Indian huts, and just at break of day broke into them all at once. Only three men, two women, and a young boy, were found at home, the rest being out among the neighbouring white people, some to sell the baskets, brooms, and bowls they manufactured, and others on other occasions. These poor defenceless creatures were immediately fired upon, stabbed, and hatcheted to death! The good Shehaes, among the rest, cut to pieces in his bed. All of them were scalped and otherwise horribly mangled. Then their huts were set on fire, and most of them burnt down. When the troop, pleased with their own conduct and bravery, but enraged that any of

the poor Indians had escaped the massacre, rode off, and in small parties, by different roads, went home.

The universal concern of the neighbouring white people, on hearing of this event, and the lamentations of the younger Indians, when they returned and saw the desolation, and the butchered, half-burnt bodies of their murdered parents and other relations, cannot well be expressed.

The magistrates of Lancaster sent out to collect the remaining Indians, brought them into the town for their better security against any farther attempt; and, it is said, condoled with them on the misfortune that had happened, took them by the hand, comforted, and promised them protection. They were all put into the workhouse, a strong building, as the place of greatest safety.

When the shocking news arrived in town, a proclamation was issued by the governor, in the following terms, viz.

"WHEREAS I have received information, that on Wednesday, the fourteenth day of this month, a number of people, armed and mounted on horseback, unlawfully assembled together, and went to the Indian town in the Conestogo manor, in Lancaster county, and without the least reason or provocation, in cool blood, barbarously killed six of the Indians settled there, and burnt and destroyed all their houses and effects; and whereas so cruel and inhuman an act, committed in the heart of this province on the said Indians, who have lived peaceably and inoffensively among us during all our late troubles, and for many years before, and were justly considered as under the protection of this government and its laws, calls loudly for the vigorous exertion of the civil authority, to detect the offenders, and

bring them to condign punishment; I have, therefore, by and with the advice and consent of the council, thought fit to issue this proclamation, and do hereby strictly charge and enjoin all judges, justices, sheriffs, constables, officers, civil and military, and all other his Majesty's liege subjects within this province, to make diligent search and inquiry after the authors and perpetrators of the said crime, their abettors and accomplices, and to use all possible means to apprehend and secure them in some of the public gaols of this province, that they may be brought to their trials, and be proceeded against according to law.

"And whereas a number of other Indians, who lately lived on or near the frontiers of this province, being willing and desirous to preserve and continue the ancient friendship, which heretofore subsisted between them and the good people of this province, have, at their own earnest request, been removed from their habitations, and brought into the county of Philadelphia, and seated for the present, for their better security, on the Province Island, and in other places in the neighbourhood of the city of Philadelphia, where provision is made for them at the public expense; I do, therefore, hereby strictly forbid all persons whatsoever, to molest or injure any of the said Indians, as they will answer the contrary at their peril.

"Given under my hand, and the great seal of the said province, at Philadelphia, the twenty-second day of December, *anno Domini* one thousand seven hundred and sixty-three, and in the fourth year of his Majesty's reign.

"JOHN PENN.

"By his Honor's command,

"JOSEPH SHIPPEN, JR., *Secretary.*

"God save the King."

Notwithstanding this proclamation, those cruel men again assembled themselves, and, hearing that the remaining fourteen Indians were in the workhouse at Lancaster, they suddenly appeared in that town, on the 27th of December. Fifty of them, armed as before, dismounting, went directly to the workhouse, and by violence broke open the door, and entered with the utmost fury in their countenances. When the poor wretches saw they had no protection nigh, nor could possibly escape, and being without the least weapon for defence, they divided into their little families, the children clinging to the parents; they fell on their knees, protested their innocence, declared their love to the English, and that, in their whole lives they had never done them injury; and in this posture they all received the hatchet! Men, women, and little children were every one inhumanly murdered in cold blood!

The barbarous men who committed the atrocious fact, in defiance of government, of all laws human and divine, and to the eternal disgrace of their country and color, then mounted their horses, huzzaed in triumph, as if they had gained a victory, and rode off *unmolested!*

The bodies of the murdered were then brought out and exposed in the street, till a hole could be made in the earth to receive and cover them.

But the wickedness cannot be covered; the guilt will lie on the whole land, till justice is done on the murderers. The blood of the innocent will cry to Heaven for vengeance.

It is said, that, Shehaes being before told, that it was to be feared some English might come from the frontier into the country, and murder him and his people, he replied, "It is impossible; there are Indians, indeed, in the woods, who would kill me and mine, if they

could get at us, for my friendship to the English; but the English will wrap me in their matchcoat, and secure me from all danger." How unfortunately was he mistaken!

Another proclamation has been issued, offering a great reward for apprehending the murderers, in the following terms, viz.

"WHEREAS on the twenty-second day of December last, I issued a proclamation for the apprehending and bringing to justice a number of persons, who, in violation of the public faith, and in defiance of all law, had inhumanly killed six of the Indians, who had lived in Conestogo manor, for the course of many years, peaceably and inoffensively, under the protection of this government, on lands assigned to them for their habitation; notwithstanding which, I have received information, that on the twenty-seventh of the same month, a large party of armed men again assembled and met together in a riotous and tumultuous manner, in the county of Lancaster, and proceeded to the town of Lancaster, where they violently broke open the workhouse, and butchered and put to death fourteen of the said Conestogo Indians, men, women, and children, who had been taken under the immediate care and protection of the magistrates of the said county, and lodged for their better security in the said workhouse, till they should be more effectually provided for by order of the government; and whereas common justice loudly demands, and the laws of the land (upon the preservation of which not only the liberty and security of every individual, but the being of the government itself depends,) require, that the above offenders should be brought to condign punishment; I have, therefore, by and with the advice of the council, published this proclamation, and

do hereby strictly charge and command all judges, justices, sheriffs, constables, officers civil and military, and all other his Majesty's faithful and liege subjects within this province, to make diligent search and inquiry after the authors and perpetrators of the said last-mentioned offence, their abettors and accomplices, and that they use all possible means to apprehend and secure them in some of the public gaols of this province, to be dealt with according to law.

"And I do hereby further promise and engage, that any person or persons, who shall apprehend and secure, or cause to be apprehended and secured, any three of the ringleaders of the said party, and prosecute them to conviction, shall have and receive for each the public reward of two hundred pounds; and any accomplice, not concerned in the immediate shedding the blood of the said Indians, who shall make discovery of any or either of the said ringleaders, and apprehend and prosecute them to conviction, shall, over and above the said reward, have all the weight and influence of the government, for obtaining his Majesty's pardon for his offence.

"Given under my hand, and the great seal of the said province, at Philadelphia, the second day of January, in the fourth year of his Majesty's reign, and in the year of our Lord one thousand seven hundred and sixty-four.

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But enter this my homely roof, and see
Our woods not void of hospitality.'
He said, and seconding the kind request,
With friendly step precedes the unknown guest,
A shaggy goat's soft hide beneath him spread,
And with fresh rushes heaped an ample bed.
Joy touched the hero's tender soul, to find
So just reception from a heart so kind;
And 'O, ye gods, with all your blessings grace'
(He thus broke forth) 'this friend of human race!'
The swain replied; 'It never was our guise
To slight the poor, or aught humane despise.
For Jove unfolds the hospitable door,
'T is Jove that sends the stranger and the poor.'"

These heathen people thought, that after a breach of the rites of hospitality, a curse from Heaven would attend them in every thing they did, and even their honest industry in their callings would fail of success. Thus when Ulysses tells Eumæus, who doubted the truth of what he related, "If I deceive you in this, I should deserve death, and I consent that you should put me to death;" Eumæus rejects the proposal, as what would be attended with both infamy and misfortune, saying ironically,

"Doubtless, O guest, great laud and praise were mine,
If, after social rites and gifts bestowed,
I stained my hospitable hearth with blood.
How would the gods my righteous toils succeed,
And bless the hand that made a stranger bleed?
No more."

Even an open enemy, in the heat of battle, throwing down his arms, submitting to his foe, and asking life and protection, was supposed to acquire an immediate right to that protection. Thus one describes his being saved, when his party was defeated;

"We turned to flight; the gathering vengeance spread
On all parts round, and heaps on heaps lie dead
The radiant helmet from my brows unlaced,
And lo, on earth my shield and javelin cast,
I meet the monarch with a suppliant's face,
Approach his chariot, and his knees embrace.

He heard, he saved, he placed me at his side;
My state he pitied, and my tears he dried;
Restrained the rage the vengeful foe expressed,
And turned the deadly weapons from my breast.
Pious to guard the hospitable rite,
And fearing Jove, whom mercy's works delight."

The suitors of Penelope are, by the same ancient poet, described as a set of lawless men, who were regardless of the sacred rites of hospitality. And, therefore, when the Queen was informed they were slain, and that by Ulysses, she, not believing that Ulysses was returned, says,

"Ah no! some god the suitors' deaths decreed,
Some god descends, and by his hand they bleed;
Blind, to contemn the stranger's righteous cause,
And violate all hospitable laws!
. . . . . The powers they defied;
But Heaven is just, and by a god they died."

Thus much for the sentiments of the ancient heathens. As for the Turks, it is recorded in the Life of Mahomet, the founder of their religion, that Khaled, one of his captains, having divided a number of prisoners between himself and those that were with him, he commanded the hands of his own prisoners to be tied behind them, and then, in a most cruel and brutal manner, put them to the sword; but he could not prevail on his men to massacre *their* captives, because in fight they had laid down their arms, submitted, and demanded protection. Mahomet, when the account was brought to him, applauded the men for their humanity; but said to Khaled, with great indignation, "O Khaled, thou butcher, cease to molest me with thy wickedness. If thou possessedst a heap of gold as large as Mount Obod, and shouldst expend it all in God's cause, thy merit would not efface the guilt incurred by the murder of the meanest of those poor captives."

Among the Arabs or Saracens, though it was lawful to put to death a prisoner taken in battle, if he had made himself obnoxious by his former wickedness, yet this could not be done after he had once eaten bread, or drunk water, while in their hands. Hence we read in the history of the wars of the Holy Land, that when the Franks had suffered a great defeat from Saladin, and among the prisoners were the king of Jerusalem, and Arnold, a famous Christian captain, who had been very cruel to the Saracens; these two being brought before the Sultan, he placed the king on his right hand and Arnold on his left; and then presented the king with a cup of water, who immediately drank to Arnold; but when Arnold was about to receive the cup, the Sultan interrupted, saying, "I will not suffer this wicked man to drink, as that, according to the laudable and generous custom of the Arabs, would secure him his life."

That the same laudable and generous custom still prevails among the Mahometans, appears from the account, but last year published, of his travels by Mr. Bell, of Antermony, who accompanied the Czar, Peter the Great, in his journey to Derbent through Daggestan. "The religion of the Daggestans," says he, "is generally Mohammedan, some following the sect of Osman, others that of Haly. Their language for the most part is Turkish, or rather a dialect of the Arabic, though many of them speak also the Persian language. One article I cannot omit concerning their laws of hospitality, which is, if their greatest enemy comes under their roof for protection, the landlord, of what condition soever, is obliged to keep him safe, from all manner of harm or violence, during his abode with him, and even to conduct him safely through his territories to a place of security."

From the Saracens this same custom obtained among the Moors of Africa; was by them brought into Spain, and there long sacredly observed. The Spanish historians record with applause one famous instance of it. While the Moors governed there, and the Spaniards were mixed with them, a Spanish cavalier, in a sudden quarrel, slew a young Moorish gentleman, and fled. His pursuers soon lost sight of him, for he had, unperceived, thrown himself over a garden wall. The owner, a Moor, happening to be in his garden, was addressed by the Spaniard on his knees, who acquainted him with his case, and implored concealment. "Eat this," said the Moor, giving him half a peach; "you now know that you may confide in my protection." He then locked him up in his garden apartment, telling him, that as soon as it was night he would provide for his escape to a place of more safety. The Moor then went into his house, where he had scarce seated himself, when a great crowd, with loud lamentations, came to his gate, bringing the corpse of his son, that had just been killed by a Spaniard. When the first shock of surprise was a little over, he learnt, from the description given, that the fatal deed was done by the person then in his power. He mentioned this to no one; but, as soon as it was dark, retired to his garden apartment, as if to grieve alone, giving orders that none should follow him. There accosting the Spaniard, he said, "Christian, the person you have killed is my son; his body is now in my house. You ought to suffer; but you have eaten with me, and I have given you my faith, which must not be broken. Follow me." He then led the astonished Spaniard to his stables, mounted him on one of his fleetest horses, and said, "Fly far while the night can cover you. You will be safe in the morning. You are indeed guilty of my son's blood; but God is just and

good, and I thank him that I am innocent of yours, and that my faith given is preserved."

The Spaniards caught from the Moors this *punto* of honor, the effects of which remain, in a degree, to this day. So that when there is fear of a war about to break out between England and Spain, an English merchant there, who apprehends the confiscation of his goods, as the goods of an enemy, thinks them safe, if he can get a Spaniard to take charge of them; for the Spaniard secures them as his own, and faithfully redelivers them, or pays the value, whenever the Englishman can safely demand it.

Justice to that nation, though lately our enemies, and hardly yet our cordial friends, obliges me, on this occasion, not to omit mentioning an instance of Spanish honor, which cannot but be still fresh in the memory of many yet living. In 1746, when we were in hot war with Spain, the Elizabeth, of London, Captain William Edwards, coming through the Gulf from Jamaica, richly laden, met with a most violent storm, in which the ship sprung a leak, that obliged them, for the saving of their lives, to run her into the Havana. The captain went on shore, directly waited on the governor, told the occasion of his putting in, and that he surrendered his ship as a prize, and himself and his men as prisoners of war, only requesting good quarter. "No, Sir," replied the Spanish governor; "if we had taken you in fair war at sea, or approaching our coast with hostile intentions, your ship would then have been a prize, and your people prisoners. But when, distressed by a tempest, you come into our ports for the safety of your lives, we, though enemies, being men, are bound as such, by the laws of humanity to afford relief to distressed men, who ask it of us. We cannot, even

against our enemies, take advantage of an act of God. You have leave therefore to unload the ship, if that be necessary, to stop the leak; you may refit here, and traffic so far as shall be necessary to pay the charges; you may then depart, and I will give you a pass, to be in force till you are beyond Bermuda. If after that you are taken, you will then be a prize; but now you are only a stranger, and have a stranger's right to safety and protection." The ship accordingly departed and arrived safe in London.

Will it be permitted me to adduce, on this occasion, an instance of the like honor in a poor unenlightened African Negro. I find it in Captain Seagrave's account of his Voyage of Guinea. He relates, that a New England sloop, trading there in 1752, left their second mate, William Murray, sick on shore, and sailed without him. Murray was at the house of a black, named Cudjoe, with whom he had contracted an acquaintance during their trade. He recovered, and the sloop being gone, he continued with his black friend till some other opportunity should offer of his getting home. In the mean while, a Dutch ship came into the road, and some of the blacks going on board her were treacherously seized, and carried off as slaves. Their relations and friends, transported with sudden rage, ran to the house of Cudjoe to take revenge by killing Murray. Cudjoe stopped them at the door, and demanded what they wanted. "The white men," said they, "have carried away our brothers and sons, and we will kill all white men; give us the white man that you keep in your house, for we will kill him." "Nay," said Cudjoe, "the white men that carried away your brothers are bad men, kill them when you can catch them; but this white man is a good man, and you must not kill him."

"But he is a white man," they cried; "the white men are all bad, and we will kill them all." "Nay," says he, "you must not kill a man, that has done no harm, only for being white. This man is my friend, my house is his fort, and I am his soldier. I must fight for him. You must kill me, before you can kill him. What good man will ever come again under my roof, if I let my floor be stained with a good man's blood!" The Negroes, seeing his resolution, and being convinced by his discourse that they were wrong, went away ashamed. In a few days, Murray ventured abroad again with Cudjoe, when several of them took him by the hand, and told him they were glad they had not killed him; for, as he was a good (meaning an innocent) man, their God would have been angry, and would have spoiled their fishing. "I relate this," says Captain Seagrave, "to show that some among these dark people have a strong sense of justice and honor, and that even the most brutal among them are capable of feeling the force of reason, and of being influenced by a fear of God, (if the knowledge of the true God could be introduced among them,) since even the fear of a false god, when their rage subsided, was not without its good effect."

Now I am about to mention something of Indians, I beg that I may not be understood as framing apologies for *all* Indians. I am far from desiring to lessen the laudable spirit of resentment in my countrymen against those now at war with us, so far as it is justified by their perfidy and inhumanity. I would only observe, that the Six Nations, as a body, have kept faith with the English ever since we knew them, now near a hundred years; and that the governing part of those people have had notions of honor, whatever may be the case with the rum-debauched, trader-corrupted vagabonds and thieves on the Susquehanna and Ohio, at present in arms against

us. As a proof of that honor, I shall only mention one well-known recent fact. When six Catawba deputies, under the care of Colonel Bull, of Charlestown, went by permission into the Mohawks' country, to sue for and treat of peace, for their nation, they soon found the Six Nations highly exasperated, and the peace at that time impracticable. They were therefore in fear of their own persons, and apprehended that they should be killed in their way back to New York; which being made known to the Mohawk chiefs by Colonel Bull, one of them, by order of the council, made this speech to the Catawbas;

"Strangers and Enemies,

"While you are in this country, blow away all fear out of your breasts; change the black streak of paint on your cheek for a red one, and let your faces shine with bear's grease. You are safer here than if you were at home. The Six Nations will not defile their own land with the blood of men that come unarmed to ask for peace. We shall send a guard with you, to see you safe out of our territories. So far you shall have peace, but no farther. Get home to your own country, and there take care of yourselves, for there we intend to come and kill you."

The Catawbas came away unhurt accordingly.

It is also well known, that just before the late war broke out, when our traders first went among the Piankeshaw Indians, a tribe of the Twigtwees, they found the principle of giving protection to strangers in full force; for, the French coming with their Indians to the Piankeshaw town, and demanding that those traders and their goods should be delivered up, the Piankeshaws replied, the English were come there upon their invitation, and they could not do so base a thing. But,

the French insisting on it, the Piankeshaws took arms in defence of their guests, and a number of them, with their old chief, lost their lives in the cause; the French at last prevailing by superior force only.

I will not dissemble that numberless stories have been raised and spread abroad, against not only the poor wretches that are murdered, but also against the hundred and forty Christianized Indians, still threatened to be murdered; all which stories are well known, by those who know the Indians best, to be pure inventions, contrived by bad people, either to excite each other to join in the murder, or, since it was committed, to justify it, and believed only by the weak and credulous. I call thus publicly on the makers and venders of these accusations to produce their evidence. Let them satisfy the public, that even Will Soc, the most obnoxious of all that tribe, was really guilty of those offences against us, which they lay to his charge. But, if he was, ought he not to have been fairly tried? He lived under our laws, and was subject to them; he was in our hands, and might easily have been prosecuted; was it English justice to condemn and execute him unheard? Conscious of his own innocence, he did not endeavour to hide himself when the door of the workhouse, his sanctuary, was breaking open. "I will meet them," says he, "for they are my brothers." These brothers of his shot him down at the door, while the word "brothers" was between his teeth.

But if Will Soc was a bad man, what had poor old Shehaes done? What could he or the other poor old men and women do? What had little boys and girls done? What could children of a year old, babes at the breast, what could they do, that they too must be shot and hatcheted? Horrid to relate! And in their parents' arms! This is done by no civilized nation in

Europe. Do we come to America to learn and practise the manners of barbarians? But this, barbarians as they are, they practise against their enemies only, not against their friends. These poor people have been always our friends. Their fathers received ours, when strangers here, with kindness and hospitality. Behold the return we have made them! When we grew more numerous and powerful, they put themselves under our protection. See, in the mangled corpses of the last remains of the tribe, how effectually we have afforded it to them.

Unhappy people! to have lived in such times, and by such neighbours. We have seen that they would have been safer among the ancient heathens, with whom the rites of hospitality were sacred. They would have been considered as guests of the public, and the religion of the country would have operated in their favor. But our frontier people call themselves Christians! They would have been safer, if they had submitted to the Turks; for ever since Mahomet's reproof to Khaled, even the cruel Turks never kill prisoners in cold blood. These were not even prisoners. But what is the example of Turks to Scripture Christians? They would have been safer, though they had been taken in actual war against the Saracens, if they had once drank water with them. These were not taken in war against us, and have drunk with us, and we with them, for fourscore years. But shall we compare Saracens to Christians?

They would have been safer among the Moors in Spain, though they had been murderers of sons; if faith had once been pledged to them, and a promise of protection given. But these have had the faith of the English given to them many times by the government, and, in reliance on that faith, they lived among us, and gave

us the opportunity of murdering them. However, what was honorable in Moors, may not be a rule to us; for we are Christians! They would have been safer, it seems, among Popish Spaniards, even if enemies, and delivered into their hands by a tempest. These were not enemies; they were born among us, and yet we have killed them all. But shall we imitate idolatrous Papists, we that are enlightened Protestants? They would even have been safer among the Negroes of Africa, where at least one manly soul would have been found, with sense, spirit, and humanity enough, to stand in their defence. But shall white men and Christians act like a Pagan Negro? In short, it appears, that they would have been safe in any part of the known world, except in the neighbourhood of the *Christian white savages* of Peckstang and Donegall!

O, ye unhappy perpetrators of this horrid wickedness! reflect a moment on the mischief ye have done, the disgrace ye have brought on your country, on your religion and your Bible, on your families and children. Think on the destruction of your captivated countryfolks (now among the wild Indians) which probably may follow, in resentment of your barbarity! Think on the wrath of the United Five Nations, hitherto our friends, but now provoked by your murdering one of their tribes, in danger of becoming our bitter enemies. Think of the mild and good government you have so audaciously insulted; the laws of your King, your country, and your God, that you have broken; the infamous death that hangs over your heads; for justice, though slow, will come at last. All good people everywhere detest your actions. You have imbrued your hands in innocent blood; how will you make them clean? The dying shrieks and groans of the murdered will often sound in your ears. Their spectres will sometimes

attend you, and affright even your innocent children. Fly where you will, your consciences will go with you. Talking in your sleep shall betray you, in the delirium of a fever you yourselves shall make your own wickedness known.

One hundred and forty peaceable Indians yet remain in this government. They have, by Christian missionaries, been brought over to a liking, at least, of our religion; some of them lately left their nation, which is now at war with us, because they did not choose to join with them in their depredations; and to show their confidence in us, and to give us an equal confidence in them, they have brought and put into our hands their wives and children. Others have lived long among us in Northampton county, and most of their children have been born there. These are all now trembling for their lives. They have been hurried from place to place for safety, now concealed in corners, then sent out of the province, refused a passage through a neighbouring colony, and returned, not unkindly perhaps, but disgracefully, on our hands. O Pennsylvania! Once renowned for kindness to strangers, shall the clamors of a few mean niggards about the expense of this public hospitality, an expense that will not cost the noisy wretches sixpence a piece, (and what is the expense of the poor maintenance we afford them, compared to the expense they might occasion if in arms against us?) shall so senseless a clamor, I say, force you to turn out of your own doors these unhappy guests, who have offended their own country-folks by their affection for you, who, confiding in your goodness, have put themselves under your protection? Those whom you have disarmed to satisfy groundless suspicions, will you leave them exposed to the armed madmen of your country? Unmanly men! who are not ashamed to come with weap-

ons against the unarmed, to use the sword against women, and the bayonet against young children; and who have already given such bloody proofs of their inhumanity and cruelty.

Let us rouse ourselves, for shame, and redeem the honor of our province from the contempt of its neighbours; let all good men join heartily and unanimously in support of the laws, and in strengthening the hands of government; that justice may be done, the wicked punished, and the innocent protected; otherwise we can, as a people, expect no blessing from Heaven; there will be no security for our persons or properties; anarchy and confusion will prevail over all; and violence without judgment dispose of every thing.

When I mention the baseness of the murderers, in the use they made of arms, I cannot, I ought not, to forget the very different behaviour of brave men and true soldiers, of which this melancholy occasion has afforded us fresh instances. The Royal Highlanders have, in the course of this war, suffered as much as any other corps, and have frequently had their ranks thinned by an Indian enemy; yet they did not for this retain a brutal undistinguishing resentment against *all* Indians, friends as well as foes. But a company of them, happening to be here, when the one hundred and forty poor Indians above mentioned were thought in too much danger to stay longer in the province, cheerfully undertook to protect and escort them to New York, which they executed (as far as that Government would permit the Indians to come) with fidelity and honor; and their captain, Robinson, is justly applauded and honored by all sensible and good people, for the care, tenderness, and humanity, with which he treated those unhappy fugitives, during their march in this severe season.

General Gage, too, has approved of his officer's

conduct, and, as I hear, ordered him to remain with the Indians at Amboy, and continue his protection to them, till another body of the King's forces could be sent to relieve his company, and escort their charge back in safety to Philadelphia, where his Excellency has had the goodness to direct those forces to remain for some time, under the orders of our governor, for the security of the Indians; the troops of this province being at present necessarily posted on the frontier. Such just and generous actions endear the military to the civil power, and impress the minds of all the discerning with a still greater respect for our national government. I shall conclude with observing, that cowards can handle arms, can strike where they are sure to meet with no return, can wound, mangle, and murder; but it belongs to brave men to spare and to protect; for, as the poet says,

"Mercy still sways the brave."

COOL THOUGHTS

ON THE

PRESENT SITUATION

OF OUR

PUBLIC AFFAIRS.

IN A LETTER TO A FRIEND IN THE COUNTRY.

FIRST PRINTED AT PHILADELPHIA, IN THE YEAR 1764.

Dr. Franklin returned from his first mission to England in 1762, having accomplished the object for which he was sent out. It was decided, that the proprietary estates in Pennsylvania should be taxed in due proportion for the defence of the colony. Thus was taken away a source of contention, which had embroiled the assembly and governors for many years. Other difficulties, however, soon after arose, in consequence of the opposition of the governor to the wishes of the assembly. The disputes grew every day more warm, and the discontents became general throughout the province. In this state of things, it was proposed to petition the King to take the government of the colony into his own hands, after making a proper remuneration to the proprietaries; or, in other words, to convert the Proprietary Government into a Royal Government. The following piece was written in defence of this measure. — EDITOR.

Philadelphia, April 12th, 1764.

SIR,

Your apology was unnecessary. It will be no trouble, but a pleasure, if I can give you the satisfaction you desire. I shall therefore immediately communicate to you my motives for approving the proposal of

endeavouring to obtain a Royal Government, in exchange for this of the Proprietaries; with such answers to the objections you mention, as, in my opinion, fully obviate them.

I do not purpose entering into the merits of the disputes between the proprietaries and the people. I only observe it as a fact known to us all, that such disputes there are, and that they have long subsisted, greatly to the prejudice of the province, clogging and embarrassing all the wheels of government, and exceedingly obstructing the public defence, and the measures wisely concerted by our gracious Sovereign, for the common security of the colonies. I may add it as another fact, that we are all heartily tired of these disputes.

It is very remarkable, that disputes of the same kind have arisen in *all* proprietary governments, and subsisted till their dissolution. All were made unhappy by them, and found no relief but in recurring finally to the immediate government of the crown. Pennsylvania and Maryland are the only two of the kind remaining, and both at this instant agitated by the same contentions between proprietary interest and power, and popular liberty. Through these contentions the good people of that province are rendered equally unhappy with ourselves, and their proprietary, perhaps, more so than ours; for he has no Quakers in his assembly to saddle with the blame of those contentions, nor can he justify himself with the pretence, that turning to the church has made his people his enemies.

Pennsylvania had scarce been settled twenty years, when these disputes began between the first proprietor and the original settlers; they continued, with some intermissions, during his whole life; his widow took them up, and continued them after his death. Her

sons resumed them very early,* and they still subsist. Mischievous and distressing as they have been found to both proprietors and people, it does not appear that there is any prospect of their being extinguished, till either the proprietary purse is unable to support them, or the spirit of the people so broken, that they shall be willing to submit to any thing, rather than continue them. The first is not very likely to happen, as that immense estate goes on increasing.

Considering all circumstances, I am at length inclined to think, that the cause of these miserable contentions is not to be sought for merely in the depravity and selfishness of human minds. For, though it is not unlikely that in these, as well as in other disputes, there are faults on both sides, every glowing coal being apt to inflame its opposite; yet I see no reason to suppose that all proprietary rulers are worse men than other rulers, nor that all people in proprietary governments are worse people than those in other governments. I suspect, therefore, that the cause is radical, interwoven in the constitution, and so become the very nature, of proprietary governments; and will therefore produce its effects, as long as such governments continue. And, as some physicians say, every animal body brings into the world among its original stamina the seeds of that disease that shall finally produce its dissolution; so the political body of a proprietary government, contains those convulsive principles that will at length destroy it.

I may not be philosopher enough to develope those principles, nor would this letter afford me room, if I had abilities, for such a discussion. The fact seems sufficient for our purpose, and the fact is notorious, that such

* See their message to the assembly, in which the right of sitting on their own adjournments is denied.

contentions have been in all proprietary governments, and have brought, or are now bringing, them all to a conclusion. I will only mention one particular common to them all. Proprietaries must have a multitude of private accounts and dealings with almost all the people of their provinces, either for purchase money or quit-rents. Dealings often occasion differences, and differences produce mutual opinions of injustice. If proprietaries do not insist on small rights, they must on the whole lose large sums; and, if they do insist on small rights, they seem to descend, their dignity suffers in the opinion of the people, and with it the respect necessary to keep up the authority of government. The people, who think themselves injured in point of property, are discontented with the government, and grow turbulent; and the proprietaries' using their powers of government to procure for themselves what they think justice in their points of property, renders those powers odious. I suspect this has had no small share in producing the confusions incident to those governments. They appear, however, to be, of all others, the most unhappy.

At present we are in a wretched situation. The government, that ought to keep all in order, is itself weak, and has scarce authority enough to keep the common peace. Mobs assemble and kill (we scarce dare say murder) numbers of innocent people in cold blood, who were under the protection of the government. Proclamations are issued to bring the rioters to justice. Those proclamations are treated with the utmost indignity and contempt. Not a magistrate dares wag a finger towards discovering or apprehending the delinquents, (we must not call them *murderers.*) They assemble again, and with arms in their hands approach the capital. The government truckles, condescends to

cajole them, and drops all prosecution of their crimes; whilst honest citizens, threatened in their lives and fortunes, flee the province, as having no confidence in the public protection. We are daily threatened with more of these tumults; and the government, which in its distress called aloud on the sober inhabitants to come with arms to its assistance, now sees those who afforded that assistance daily libelled, abused, and menaced by its partisans for so doing; whence it has little reason to expect such assistance on another occasion.

In this situation, what is to be done? By what means is that harmony between the two branches of government to be obtained, without which the internal peace of the province cannot be well secured? One project is, to turn all Quakers out of the assembly; or, by obtaining more members for the back counties, to get a majority in who are not Quakers. This, perhaps, is not very difficult to do; and more members for those counties may, on other accounts, be proper; but I much question if it would answer this end, as I see among the members, that those who are not Quakers, and even those from the back counties, are as hearty and unanimous in opposing what they think proprietary injustice, as the Quakers themselves, if not more so. Religion has happily nothing to do with our present differences, though great pains is taken to lug it into the squabble. And even were the Quakers extirpated, I doubt whether the proprietaries, while they pursue the same measures, would be a whit more at their ease.

Another project is, to choose none for assembly men but such as are friends to the proprietaries. The number of members is not so great, but that I believe this scheme may be practicable, if you look for representatives among proprietary officers and dependants. Undoubtedly it would produce great harmony between

governor and assembly; but how would both of them agree with the people? Their principles and conduct must greatly change, if they would be elected a second year. But that might be needless. Six parts in seven agreeing with the governor, could make the House perpetual. This, however, would not probably establish peace in the province. The quarrel the people now have with the proprietaries, would then be with both the proprietaries and assembly. There seems to remain, then, but one remedy for our evils, a remedy approved by experience, and which has been tried with success by other provinces; I mean that of an immediate *Royal Government*, without the intervention of proprietary powers, which, like unnecessary springs and movements in a machine are so apt to produce disorder.

It is not to be expected that the proposal of a change like this, should meet with no objections. Those you have mentioned to me, concerning liberty of conscience and the privileges of Dissenters, are, however, not difficult to answer; as they seem to arise merely from want of information or acquaintance with the state of other colonies, before and after such changes had been made in their government. Carolina and the Jerseys were formerly proprietary governments, but now immediately under the crown; and their cases had many circumstances similar to ours. Of the first we are told;

"There was a natural infirmity in the policy of their charter, which was the source of many of the misfortunes of the colony, without any imputation on the noble families concerned. For the grantees [the proprietors], being eight in number, and not incorporated, and no provision being made to conclude the whole number by the voices of the majority, there could not be

timely measures always agreed on, which were proper or necessary for the good government of the plantation. In the mean time, the inhabitants grew unruly and quarrelled about religion and politics; and while there was a mere anarchy among them, they were exposed to the attacks and insults of their Spanish and Indian neighbours, whom they had imprudently provoked and injured; and, as if they had conspired against the growth of the colony, they repealed their laws for liberty of conscience, though the majority of the people were Dissenters, and had resorted thither under the public faith for a complete indulgence, which they considered as part of their *Magna Charta.* Within these four years an end was put to their sorrows; for about that time, the lords proprietors and the planters, (who had long been heartily tired of each other) were, by the interposition of the Legislature, fairly divorced for ever, and the property of the whole vested in the crown."* And the abovementioned injudicious and unjust act against the privileges of Dissenters, was repealed by the King in council.

Another historian tells us; "Their intestine distractions, and their foreign wars, kept the colony so low, that an act of Parliament, if possible to prevent the last ruinous consequences of these divisions, put the province under the immediate care and inspection of the crown."†

And Governor Johnson, at his first meeting the assembly there, after the change, tells them;

"His Majesty, out of his great goodness and fatherly care of you, and at the earnest request and solicitation

* "New and Accurate Account of Carolina," p. 14; printed at London, 1733.

† "Account of the British Settlements in America," p. 233, concerning Carolina.

of yourselves, has been graciously pleased, at a great expense, to purchase seven eighths of the late lords proprietaries' charter, whereby you are become under his immediate government, a blessing and security we have been long praying for, and solicitous of; the good effects of which we daily experience by the safety we enjoy, as well in our trade, by the protection of his ships of war, as by land, by an independent company maintained purely for our safety and encouragement. The taking off the enumeration of rice is a peculiar favor," &c.*

By these accounts we learn, that the people of that province, far from losing by the change, obtained internal security and external protection, both by sea and land; the Dissenters a restoration and establishment of their privileges, which the proprietary government attempted to deprive them of; and the whole province, favors in point of trade with respect to their grand staple commodity, which from that time they were allowed to carry directly to foreign ports, without being obliged, as before, to enter in England.

With regard to the neighbouring province of New Jersey, we find, in a representation from the Board of Trade to the crown, dated "Whitehall, October 2d, 1701," the following account of it, namely; "That the inhabitants, in a petition to his Majesty the last year, complained of several grievances they lay under, by the neglect or mismanagement of the proprietors of that province, or their agents; unto which they also added, that during the whole time the said proprietors have governed, or pretended to govern, that province, they have never taken care to preserve or defend the same from the Indians or other enemies, by sending or

* Historical Register, No. 63, for 1731.

providing any arms, ammunition, or stores, as they ought to have done; and the said inhabitants thereupon humbly prayed, his Majesty would be pleased to commissionate some fit person, to be governor over them. That it has been represented to us by several letters, memorials, and other papers, as well from the inhabitants as proprietors, that they are at present in confusion and anarchy, and that it is much to be apprehended, lest by the heats of the parties that are amongst them, they should fall into such violences, as may endanger the lives of many persons, and destroy the colony."*

In consequence of these disorders, and petitions from the people, the proprietors were obliged to surrender that government to the crown; Queen Anne then reigning, who, of all our crowned heads since the Revolution, was by far the least favorable to Dissenters; yet her instructions to Lord Cornbury, her first governor, were express and full in their favor, viz.

"*Instruction* 51*st.* You are to permit a liberty of conscience to all persons (except Papists), so that they may be contented with a quiet and peaceable enjoyment of the same, not giving offence or scandal to the government."

"*Instruction* 52*d.* And whereas we have been informed that divers of our good subjects inhabiting those parts, do make a religious scruple of swearing, and by reason of their refusing to take an oath in any court of justice and other places, are or may be liable to many inconveniences, our will and pleasure is, that, in order to their ease in what they conceive to be matter of conscience, so far as may be consistent with

* "Grants and Concessions, and Original Constitutions of New Jersey," printed at Philadelphia by W. Bradford, p. 606.

good order and government, you take care that an act be passed in the general assembly of our said province, to the like effect as that passed here in the seventh and eighth years of his late Majesty's reign, entitled, 'An Act, that the solemn affirmation and declaration of the people called Quakers, shall be accepted instead of an oath in the usual form;' and that the same be transmitted to us, and to our Commissioners for Trade and Plantations, as before directed.

"*Instruction* 53*d.* And whereas we have been farther informed, that in the settlement of the government of our said province, it may so happen, that the number of inhabitants fitly qualified to serve in our council, in the general assembly, and in other places of trust and profit there, will be but small; it is therefore our will and pleasure, that such of the said people called Quakers, as shall be found capable of any of those places and employments, and accordingly be elected or appointed to serve therein, may, upon their taking and signing the declaration of allegiance to us, in the form used by the same people here in England, together with a solemn declaration for the true discharge of their respective trusts, be admitted by you into any of the said places or employments," &c.*

And the same privileges have been, and still are, fully enjoyed in that province by Dissenters of all kinds; the council, assembly, and magistracy being filled with Episcopalians, Presbyterians, and Quakers, promiscuously, without the least distinction or exclusion of any. We may farther remark, on the above report of the Board of Trade, that the defence of a proprietary province was originally looked upon as the duty of the proprietaries, who received the quit-rents, and

* "Grants and Concessions," &c., p. 633.

had the emoluments of government; whence it was, that in former wars, when arms, ammunition, cannon, and military stores of all kinds, have been sent by the crown to all the colonies under its immediate government, whose situation and circumstances required it, nothing of the kind has been sent to proprietary governments. And to this day, neither Pennsylvania nor Maryland have received any such assistance from the crown; nor did Carolina, till it became a King's government.

Massachusetts Bay, in New England, lost its charter in the latter end of King Charles's reign, when the charters of London and all the corporations in England were seized. At the Revolution the crown gave them a better constitution, which they enjoy to this day. No advantages were taken against the privileges of the people, though then universally Dissenters. The same privileges are enjoyed by the Dissenters in New Hampshire, which has been a royal government ever since 1679, when the freeholders and inhabitants petitioned to be taken under the immediate protection of the crown. Nor is there existing, in any of the American colonies, any *test* imposed by Great Britain, to exclude Dissenters from offices. In some colonies, indeed, where the Episcopalians, and in others the Dissenters, have been predominant, they have made partial laws in favor of their respective sects, and laid some difficulties on the others; but those laws have been generally, on complaint, repealed at home.

It is farther objected, you tell me, that "if we have a royal government, we must have with it a bishop and a spiritual court, and must pay tithes to support an Episcopal clergy." A bishop for America has been long talked of in England, and probably, from the apparent necessity of the thing, will sooner or later be

appointed; because a voyage to England for ordination is extremely inconvenient and expensive to the young clergy educated in America; and the Episcopal churches and clergy in these colonies cannot so conveniently be governed and regulated by a bishop residing in England, as by one residing among those committed to his care. But this event will happen neither sooner nor later for our being or not being under a royal government. And the spiritual court, if the bishop should hold one, can have authority only with his own people, if with them, since it is not likely that any law of this province will ever be made to submit the inhabitants to it, or oblige them to pay tithes; and without such law, tithes can no more be demanded here than they are in any other colony; and there is not a single instance of tithes demanded or paid in any part of America. A maintenance has, indeed, been established in some colonies, for the Episcopal clergy; as in Virginia, a royal government, and in Maryland, a proprietary government. But this was done by acts of their own, which they were not obliged to make, if they did not choose it.

That "we shall have a standing army to maintain," is another bugbear raised to terrify us from endeavouring to obtain a King's government. It is very possible, that the crown may think it necessary to keep troops in America henceforward, to maintain its conquests and defend the colonies, and that the Parliament may establish some revenue arising out of the American trade, to be applied towards supporting those troops. It is possible, too, that we may, after a few years' experience, be generally very well satisfied with that measure, from the steady protection it will afford us against foreign enemies, and the security of internal peace among ourselves, without the expense or

trouble of a militia. But assure yourself, my friend, that, whether we like it or not, our continuing under a proprietary government will not prevent it, nor our coming under a royal government promote and forward it, any more than they would prevent or procure rain or sunshine.

The other objections you have communicated to me, are, that, "in case of a change of proprietary for royal government, our judges and other officers will be appointed and sent us from England; we must have a legislative council; our assembly will lose the right of sitting on their own adjournments; we shall lose the right of choosing sheriffs, and annual assemblies, and of voting by ballot." I shall not enter into the question, whether judges from England would probably be of advantage or disadvantage to our law proceedings. It is needless, as the power of appointing them is given to the governor here, by a law that has received the royal assent, the "Act for establishing Courts." The King's governor only comes in place of a proprietary governor; he must (if the change is made) take the government as he finds it. He can alter nothing. The same answer serves for all the subsequent objections. A legislative council under proper regulations might perhaps be an amendment of our constitution, but it cannot take place without our consent, as our constitution is otherwise established; nor can our assembly lose the right of sitting on their own adjournments; nor the people that of choosing sheriffs, and annual assemblies, or of voting by ballot; these rights being all confirmed by acts of assembly assented to by the crown; I mean the acts entitled, "An Act to ascertain the number of Members of Assembly and to regulate the Elections," and "An Act for regulating the Elections of Sheriffs and Coroners;" both passed in the fourth of Queen Anne.

I know it has been asserted, to intimidate us, that those acts, so far from being approved by the crown, were never presented. But I can assure you, from good authority, that they, with forty-eight others, (all passed at the same time by Governor Evans,) were duly laid before the Queen in council; who, on the 28th of April, 1709, referred the same to the Board of Trade. The Board, on the 8th of September, 1709, reported upon the said fifty acts, that they had considered the same, and had taken the opinion of the attorney-general upon several of them in point of law; and they represented against six of them, as unfit to be continued in force; but, as to the other forty-four, the titles of which are given at large, and among them the two material acts above mentioned, they had no objection to the same. Whereupon there issued two orders of the Queen in council, both dated at the Court at Windsor, the 24th of October, 1709; one repealing the six laws objected to, and the other approving the remaining forty-four.

This is a fact that you may depend upon. There is therefore nothing now that can deprive us of those privileges, but an act of Parliament; and we may rely on the united justice of King, Lords, and Commons, that no such act will ever pass, while we continue loyal and dutiful subjects. An act of assembly, indeed, may give them up; but I trust, urgent as they are for admission, we shall never see proprietary friends enough in the House to make that detestable sacrifice.

In fine, it does not appear to me, that this change of government can possibly hurt us; and I see many advantages that may flow from it. The expression, *change of government*, seems, indeed, to be too extensive; and is apt to give the idea of a general and total change of our laws and constitution. It is rather and

only a *change of governor*, that is, instead of self-interested proprietaries, a gracious King. His Majesty, who has no views but for the good of the people, will thenceforth appoint the governor, who, unshackled by proprietary instructions, will be at liberty to join with the assembly in enacting wholesome laws. At present, when the King requires supplies of his faithful subjects, and they are willing and desirous to grant them, the proprietaries intervene and say, "unless our private interests in certain particulars are served, *nothing shall be done.*" This insolent tribunitial VETO has long encumbered all our public affairs, and been productive of many mischiefs. By the measure proposed, not even the proprietaries can justly complain of any injury. The being obliged to fulfil a fair contract is no injury. The crown will be under no difficulty in completing the old contract made with their father, as there needs no application to Parliament for the necessary sum, since half the quit-rents of the lower counties belongs to the King, and the many years' arrears in the proprietaries' hands, who are the collectors, must vastly exceed what they have a right to demand, or any reason to expect.*

On the whole, I cannot but think, the more the proposal is considered, of *an humble petition to the* KING *to take this province under his Majesty's immediate protection and government*, the more unanimously we shall go into it. We are chiefly people of three countries. British spirits can no longer bear the treatment they have received, nor will they put on the chains prepared for them by a fellow subject. And the Irish and Germans have felt too severely

* In 1722, the arrears then in their hands were computed at £ 18,000 sterling.

the oppressions of hard-hearted landlords and arbitrary princes, to wish to see, in the proprietaries of Pennsylvania, both the one and the other united.

I am, with much respect, Sir,

Your most obedient, humble servant,

A. B.

PETITION TO THE KING,

FOR CHANGING THE PROPRIETARY GOVERNMENT OF PENNSYLVANIA INTO A ROYAL GOVERNMENT.

Drafted by Dr. Franklin, and adopted by the Assembly of Pennsylvania, in 1764.—Editor.

To the King's most excellent Majesty, in Council,

The Petition of the Representatives of the Freemen of the Province of Pennsylvania, in General Assembly met,

Most humbly showeth;

That the government of this province by proprietaries has by long experience been found inconvenient, attended with many difficulties and obstructions to your Majesty's service, arising from the intervention of proprietary private interest in public affairs and disputes concerning those interests.

That the said proprietary government is weak, unable to support its own authority, and maintain the common internal peace of the province; great riots have lately arisen therein, armed mobs marching from place to place, and committing violent outrages and insults

on the government with impunity, to the great terror of your Majesty's subjects. And these evils are not likely to receive any remedy here, the continual disputes between the proprietaries and people, and their mutual jealousies and dislikes preventing.

We do, therefore, most humbly pray, that your Majesty would be graciously pleased to resume the government of this province, making such compensation to the proprietaries for the same as to your Majesty's wisdom and goodness shall appear just and equitable, and permitting your dutiful subjects therein to enjoy under your Majesty's more immediate care and protection, the privileges that have been granted to them by and under your royal predecessors.

By order of the House.

REMARKS

ON A PARTICULAR MILITIA BILL REJECTED BY THE PROPRIETOR'S DEPUTY, OR GOVERNOR.

TO THE FREEMEN OF PENNSYLVANIA

Philadelphia, September 28th, 1764.

GENTLEMEN,

Your desire of knowing how the militia bill came to fail, in the last assembly, shall immediately be complied with.

As the governor pressed hard for a militia law, to secure the internal peace of the province, and the people of this country had not been accustomed to militia service, the House, to make it more generally agreeable to the freeholders, formed the bill so that they might have some share in the election of the officers; to secure them from having absolute strangers set over them, or persons generally disagreeable.

This was no more, than that every company should choose, and recommend to the governor, three persons for each office of captain, lieutenant, and ensign; *out of which three* the governor was to commission *one* that he thought most proper, or which he pleased, to be the officer. And that the captains, lieutenants, and ensigns, so commissioned by the governor, should, in their respective regiments, choose and recommend three persons for each office of colonel, lieutenant-colonel, and major; out of which three the governor was to commission *one*, whichever he pleased, to each of the said offices.

The governor's *amendment* to the bill in this particular was, to strike out wholly this privilege of the people, and take to himself the sole appointment of all the officers.

The next amendment was, to aggravate and enhance all the fines. A fine that the assembly had made one hundred pounds, and thought heavy enough, the governor required to be three hundred pounds. What they had made fifty pounds, he required to be one hundred and fifty. These were fines on the commissioned officers for disobedience to his commands; but the non-commissioned officers, or common soldiers, whom, for the same offence, the assembly proposed to fine at ten pounds, the governor insisted should be fined fifty pounds.

These fines, and some others to be mentioned hereafter, the assembly thought ruinously high. But when, in a subsequent amendment, the governor would, for offences among the militia, take away the *trial by jury* in the common courts; and required, that the trial should be by a court-martial, composed of officers of his own sole appointing, who should have power of sentencing even to death; the House could by no means consent thus to give up their constituents' liberty, estate, and life itself, into the absolute power of a proprietary governor; and so the bill failed.

That you may be assured I do not misrepresent this matter, I shall give you the last-mentioned amendment (so called) at full length; and for the truth and exactness of my copy, I dare appeal to Mr. Secretary Shippen.

The words of the bill, page 43, were, "Every such person so offending, being legally convicted thereof," &c. By the words *legally convicted* was intended a conviction after legal trial, in the common course of the

laws of the land. But the governor required this addition immediately to follow the words "convicted thereof," namely, "by a court-martial, shall suffer *death*, or such other punishment as such court, by their sentence or decree, shall think proper to inflict and pronounce. And be it farther enacted by the authority aforesaid, that when and so often as it may be necessary, the governor and commander-in-chief for the time being shall appoint and commissionate, under the great seal of this province, sixteen commissioned officers in each regiment; with authority and power to them, or any thirteen of them, to hold courts-martial, of whom a field officer shall always be one, and president of the said court; and such courts-martial shall and are hereby empowered to administer an oath to any witness, in order to the examination or trial of any of the offences, which by this act are made cognizable in such courts, and shall come before them. Provided always, that, in all trials by a court-martial by virtue of this act, every officer present at such trial, before any proceedings be had therein, shall take an *oath* upon the holy Evangelists, before one justice of the peace in the county where such court is held; who are hereby authorized to administer the same, in the following words, that is to say; 'I, A B, do swear, that I will duly administer justice according to evidence, and to the directions of an act entitled, *An Act for forming and regulating the militia of the province of Pennsylvania*, without partiality, favor, or affection; and that I will not divulge the sentence of the court, until it shall be approved of by the governor or commander-in-chief of this province for the time being; neither will I, upon any account, at any time whatsoever, disclose or *discover the vote or opinion* of any particular member of the court-martial. So help me God.' And no sentence

of death, or other sentence, shall be given against any offender, but by the concurrence of *nine* of the officers so sworn. And no sentence passed against any offender by such court-martial shall be put in execution, until report be made of the whole proceedings to the governor or commander-in-chief of this province for the time being, and his directions signified thereupon."

It is observable here, that, by the common course of justice, a man is to be tried by a jury of his neighbours and fellows, empanelled by a sheriff, in whose appointment the people have a choice. The prisoner too has a right to challenge twenty of the panel, without giving a reason, and as many more as he can give reasons for challenging; and before he can be convicted, the jury are to be unanimous; they are all to agree that he is guilty, and are therefore all accountable for their verdict. But, by this amendment, the jury (if they may be so called) are all officers of the governor's sole appointing; and not one of them can be challenged; and, though a common militia-man is to be tried, no common militia-man shall be of that jury; and, so far from requiring all to agree, a bare majority shall be sufficient to condemn you. And, lest that majority should be under any check or restraint, from an apprehension of what the world might think or say of the severity or injustice of their sentence, an oath is to be taken, never to discover the vote or opinion of any particular member.

These are some of the chains attempted to be forged for you by the proprietary faction! Who advised the governor is not difficult to know. They are the very men, who now clamor at the assembly for a proposal of bringing the trial of a particular murder to this county from another, where it was not thought safe for any man to be either juryman or witness, and call

it disfranchising the people, who are now bawling about the constitution, and pretending vast concern for your liberties. In refusing you the least means of recommending, or expressing your regard for, persons to be placed over you as officers, and who were thus to be made your judges in life and estate, they have not regarded the example of the King, our wise as well as kind master; who, in all his requisitions made to the colonies, of raising troops for their defence, directed, that, "the better to facilitate the important service, the commissions should be given to such as, from their weight and credit with the people, may be best enabled to effectuate the levies." * In establishing a militia for the defence of the province, how could the "weight and credit" of men with the people be better discovered, than by the mode that bill directed, namely, by a majority of those, that were to be commanded, nominating three for each office to the governor, of which three he might take the one he liked best?

However, the courts-martial being established, and all of us thus put into his Honor's absolute power, the governor goes on to enhance the fines and penalties. Thus, in page 49 of the bill, where the assembly had proposed the fine to be ten shillings, the governor required it to be ten pounds. In page 50, where a fine of five pounds was mentioned, the governor's amendment required it to be made fifty pounds. And, in page 44, where the assembly had said, "shall forfeit and pay any sum, not exceeding five pounds," the governor's amendment says, "shall suffer *death*, or such other punishment as shall, according to the nature of the offence, be inflicted by the sentence of a court-martial."

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* See Secretary of State's Letters in the printed Votes.

The assembly's refusing to admit of these amendments in that bill, is one of their offences against the lord proprietary, for which that faction are now abusing them in both the languages* of the province, with all the virulence that reverend malice can dictate; enforced by numberless barefaced falsehoods, that only the most dishonest and base would dare to invent, and none but the most weak and credulous can possibly believe.

VERITAS.

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* That is, the English and German languages, both of which were used in Pennsylvania.—EDITOR.

PREFACE

TO THE

SPEECH OF JOSEPH GALLOWAY,

ON THE SUBJECT OF A PETITION TO THE KING FOR CHANGING THE PROPRIETARY GOVERNMENT OF PENNSYLVANIA TO A ROYAL GOVERNMENT.

While the petition to the King for a royal government in Pennsylvania was under discussion in the assembly, Mr. John Dickinson made a speech against it, which was printed in a pamphlet, with a long preface by another hand. Mr. Galloway published a reply, entitled, "The Speech of Joseph Galloway, One of the Members for Philadelphia County, in Answer to the Speech of John Dickinson, delivered in the House of Assembly of the Province of Pennsylvania, May 24th, 1764." To this reply was prefixed the following Preface, written by Dr. Franklin. For sarcastic humor, point, and strength of argument, it is one of the best of his performances. The contest created a good deal of heat between the parties. Mr. Dickinson wrote an answer to Galloway's *Speech*, in which he defended himself ably; but his language was too strongly marked with asperity and personal invective. — EDITOR.

IT is not merely because Mr. Dickinson's speech was ushered into the world by a *preface*, that one is made to this of Mr. Galloway. But, as in that preface a number of aspersions were thrown on our assemblies, and their proceedings grossly misrepresented, it was thought necessary to wipe those aspersions off by some proper animadversions, and, by a true state of facts, to rectify those misrepresentations.

The preface begins with saying, that "Governor Denny (whose administration will never be mentioned but with disgrace in the annals of this province) was induced by considerations, to which the world is now no stranger, to pass sundry acts," &c., thus insinuating, that by some unusual base bargain, secretly made but afterwards discovered, he was induced to pass them.

It is fit, therefore, without undertaking to justify all that governor's administration, to show *what* those considerations were. Ever since the revenue of the quit-rents first, and after that the revenue of tavern-licenses, were settled irrevocably on our proprietors and governors, they have looked on those incomes as their proper estate, for which they were under no obligations to the people; and when they afterwards concurred in passing any useful laws, they considered them as so many jobs, for which they ought to be particularly paid. Hence arose the custom of *presents* twice a year to the governors, at the close of each session in which laws were passed, given at the time of passing; they usually amounted to a thousand pounds per annum. But when the governors and assemblies disagreed, so that laws were not passed, the presents were withheld. When a disposition to agree ensued, there sometimes still remained some *diffidence.* The governors would not pass the laws that were wanted, without being sure of the money, even all that they called their arrears; nor the assemblies give the money without being sure of the laws. Thence the necessity of some private conference, in which mutual assurances of good faith might be received and given, that the transactions should go hand in hand. What name the impartial reader will give to this kind of commerce, I cannot say. To me it appears an extortion of more money from the people, for that to which they had before an undoubted right,

both by the constitution and by purchase; but there was no other shop they could go to for the commodity they wanted, and they were obliged to comply. Time established the custom, and made it seem honest; so that our governors, even those of the most undoubted honor, have practised it.

Governor Thomas, after a long misunderstanding with the assembly, went more openly to work with them in managing this commerce, and they with him. The fact is curious, as it stands recorded in the votes of 1742–3. Sundry bills sent up to the governor for his assent had lain long in his hands, without any answer. January 4th, the House "Ordered, That Thomas Leech and Edward Warner wait upon the governor, and acquaint him, that the House had long waited for his result on the bills that lie before him, and desire to know when they may expect it." The gentlemen return and report, "That they waited upon the governor, and delivered the message of the House according to order; and that the governor was pleased to say, 'He had had the bills long under consideration, and waited the result of the House.'" The House well understood this hint; and immediately resolved into a committee of the whole House, to take what was called *the governor's support* into consideration, in which they made (the minutes say) *some progress;* and the next morning, it appears, that that *progress*, whatever it was, had been communicated to him, for he sent them down this message by his secretary; "Mr. Speaker, The governor commands me to acquaint you, that, as he has received assurances of a *good disposition* in the House, he thinks it incumbent on him to show *the like* on his part; and therefore sends down the bills, which lay before him, without any amendment."

As this message only showed a good disposition, but

contained no promise to pass the bills, the House seem to have had their doubts; and, therefore, February 2d, when they came to resolve, on the report of the grand committee, to give the money, they guarded their resolves very cautiously, to wit, "Resolved, That, *on the passage* of such bills as now lie before the governor, (the naturalization bill, and such other bills as may be presented to him during this sitting,) there be *paid* him the sum of *five hundred pounds.* Resolved also, that, on the passage of such bills as now lie before the governor, (the naturalization bill, and such other bills as may be presented to him this sitting,) there be paid to the governor the further sum of *one thousand pounds*, for the current year's support; and that orders be drawn on the treasurer and trustees of the loan-office, pursuant to these resolves." The orders were accordingly drawn; with which being acquainted, he appointed a time to pass the bills; which was done with one hand, while he received the orders in the other; and then, with the utmost politeness he thanked the House for the fifteen hundred pounds, as if it had been a pure free gift, and a mere mark of their respect and affection. "I thank you, Gentlemen," says he, "for this instance of *your regard*, which I am the more pleased with, as it gives an agreeable prospect of *future harmony* between me and the representatives of the people."

This, reader, is an exact counterpart of the transaction with Governor Denny; except that Denny sent word to the House, that he would pass the bills *before* they voted the support. And yet *here* was no proprietary clamor about bribery, &c. And why so? Why, at that time, the proprietary family, by virtue of a *secret bond* they had obtained of the governor at his appointment, were to *share with* him the sums so obtained of the people.

This reservation of the proprietaries they were at that time a little ashamed of, and therefore such bonds were then to be secrets. But, as in every kind of sinning frequent repetition lessens shame and increases boldness, we find the proprietaries ten years afterwards openly insisting on these advantages to themselves, *over and above* what was paid to their deputy; "Wherefore," say they,* "on this occasion it is necessary that we inform the people, through yourselves, their representatives, that, as by the constitution our consent is necessary to their laws, at the same time that they have an *undoubted right* to such as are necessary for the defence and real service of the country, so it will tend the better to *facilitate* the several matters, which must be transacted with us, for their representatives to show a *regard to us* and our *interest.*"

This was in their answer to the representation of the assembly, (*Votes*, December, 1754, p. 48,) on the justice of their contributing to Indian expenses, which they had refused. And on this clause the committee make the following remark; "They tell us, their consent is necessary to our laws, and that it will tend the better to facilitate the matters which must be transacted with them, for the representatives to show a regard to their *interest*; that is, (as we understand it,) though the proprietaries have a deputy here, supported by the province, who is, or ought to be, fully empowered to pass all laws necessary for the service of the country, yet, before we can obtain such laws, we must facilitate their passage by paying money for the proprietaries, which they ought to pay, or in some shape make it their particular interest to pass them. We hope, however, that, if this practice has ever been begun, it will

* That is, to the assembly. — B. V.

never be continued in this province; and that, since, as this very paragraph allows, we have an undoubted right to such laws, we shall always be able to obtain them from the goodness of our sovereign, without going to market for them to a subject." Time has shown that those hopes were vain; they have been obliged to go to that market ever since, directly or indirectly, or go without their laws. The practice has continued, and will continue, as long as the proprietary government subsists, intervening between the crown and the people.

Do not, my courteous reader, take pet at our proprietary constitution for these our bargain and sale proceedings in legislation. It is a happy country where justice, and what was your own before, can be had for ready money. It is another addition to the value of money, and of course another spur to industry. Every land is not so blessed. There are countries where the princely proprietor claims to be lord of all property, where what is your own shall not only be wrested from you, but the money you give to have it restored shall be kept with it; and your offering so much, being a sign of your being too rich, you shall be plundered of every thing that remained. These times are not come here yet. Your present proprietors have never been more unreasonable hitherto, than barely to insist on your fighting in defence of *their* property, and paying the expense yourselves; or if their estates must, ah! *must*, be taxed towards it, that the *best* of their lands shall be taxed no higher than the *worst* of yours.

Pardon this digression, and I return to Governor Denny. But first let me do Governor Hamilton the justice to observe, that, whether from the uprightness of his own disposition, or from the odious light the practice had been set in on Denny's account, or from both, he did not attempt these bargains, but passed

such laws as he thought fit to pass, without any *previous* stipulation of pay for them. But then, when he saw the assembly tardy in the payment he expected, and yet calling upon him still to pass more laws, he openly put them in mind of the money, as a *debt* due to him from custom. "In the course of the present year," says he, in his message of July 8th, 1763, "a great deal of public business hath been transacted by me, and I believe as many useful laws enacted, as by any of my predecessors in the same space of time; yet I have not understood that any allowance hath hitherto been made to me for my support, as hath been customary in this province."

The House, having then some bills in hand, took the matter into immediate consideration, and voted him five hundred pounds, for which an order or certificate was accordingly drawn; and on the same day the Speaker, after the House had been with the governor, reported. "That his Honor had been pleased to give his assent to the bills, by enacting the same into laws. And Mr. Speaker farther reported, that he had then, in behalf of the House, presented their certificate of five hundred pounds to the Governor; who was pleased to say, he was obliged to the House for the same." Thus we see the practice of purchasing and paying for laws is interwoven with our proprietary constitution, used in the best times, and under the best governors. And yet, alas, poor assembly! how will you steer your brittle bark between these rocks? If you pay *ready money* for your laws, and those laws are not liked by the proprietaries, you are charged with bribery and corruption; if you *wait a while* before you pay, you are accused of detaining the governor's customary right, and dunned as a negligent or dishonest debtor, that refuses to discharge a just debt.

But Governor Denny's case, I shall be told, differs from all these; for the acts he was induced to pass were, as the Prefacer tells us, "contrary to his duty, and to every tie of honor and justice." Such is the imperfection of our language, and perhaps of all other languages, that, notwithstanding we are furnished with dictionaries innumerable, we cannot precisely know the import of words, unless we know of what party the man is that uses them. In the mouth of an assemblyman, or true Pennsylvanian, "contrary to his duty and to every tie of honor and justice," would mean, the governor's long refusal to pass laws, however just and necessary, for taxing the proprietary estate; a refusal contrary to the trust reposed in the lieutenant-governor by the royal charter; to the rights of the people, whose welfare it was his duty to promote; and to the nature of the contract made between the governor and the governed, when the quitrents and license fees were established, which confirmed what the proprietaries call our "undoubted right" to necessary laws. But, in the mouth of the proprietaries, or their creatures, "contrary to his duty, and to every tie of justice and honor," means, his passing laws contrary to proprietary instructions, and contrary to the bonds he had previously given to observe those instructions; instructions, however, that were unjust and unconstitutional; and bonds, that were illegal and void from the beginning.

Much has been said of the wickedness of Governor Denny in passing, and of the assembly in prevailing with him to pass, those acts. By the Prefacer's account of them, you would think the laws so obtained were all bad; for he speaks of but seven, of which six, he says, were repealed, and the seventh reported to be "fundamentally *wrong* and *unjust*," and "ought to

be repealed, unless six certain amendments were made therein." * Whereas, in fact, there were nineteen of them; and several of those must have been good laws, for even the proprietaries did not object to them. Of the eleven that they opposed, only six were repealed; so that it seems these good gentlemen may themselves be sometimes as wrong in opposing, as the assembly in enacting laws. But the words "fundamentally wrong and unjust" are the great fund of triumph to the proprietaries and their partisans. These their subsequent governors have unmercifully dinned in the ears of the assembly on all occasions ever since; for they make a part of near a dozen of their messages. They have rung the changes on those words, till they have worked them up to say that the law was fundamentally wrong and unjust in six several articles; (*Governor's Message*, May 17th, 1764,) instead of "ought to be repealed, unless six alterations or amendments could be made therein." A law unjust in six several articles must be an unjust law indeed. Let us therefore, once for all, examine this unjust law, article by article, in order to see whether our assemblies have been such villains as they have been represented.

The first particular in which their lordships proposed the act should be amended was, "That the real estates to be taxed be *defined with precision;* so as not to include the unsurveyed waste land belonging to the proprietaries." This was, at most, but an obscurity to be cleared up; and, though the law might well appear to their lordships uncertain in that particular, with us, who better know our own customs, and that the proprietaries' waste unsurveyed land was never here

* The act is entitled, "An Act for granting to his Majesty the sum of one hundred thousand pounds; striking the same in bills of credit, and sinking the bills by a tax on all estates real and personal."

considered among estates real, subject to taxation; there was not the least doubt or supposition, that such lands were included in the words "all estates real and personal." The agents, therefore,* knowing that the assembly had no intention to tax those lands, might well suppose they would readily agree to remove the obscurity.

Before we go farther, let it be observed, that the main design of the proprietaries in opposing this act was, to *prevent their estates being taxed at all.* But, as they knew that the doctrine of the proprietary exemption, which they had endeavoured to enforce here, could not be supported there, they bent their whole strength against the act on *other* principles to procure its repeal; pretending great willingness to submit to an equitable tax, but that the assembly (out of mere malice, because they had conscientiously quitted Quakerism for the church,) were wickedly determined to ruin them, to tax all their unsurveyed wilderness lands, and at the highest rates; and by that means exempt themselves and the people, and throw the whole burden of the war on the proprietary family.

How foreign these charges were from the truth, need not be told to any man in Pennsylvania. And, as the proprietors knew, that the hundred thousand pounds of paper money, struck for the defence of *their* enormous estates, with others, was actually issued, spread through the country, and in the hands of thousands of poor people, who had given their labor for it, how base, cruel, and inhuman it was to endeavour, by a repeal of the act, to strike the money dead in those hands at one blow, and reduce it all to waste paper; to the

* The agents in England, whither the laws were sent to receive the King's assent. Franklin was one of the agents in that country at the time the laws in question were sent out for approval.—EDITOR.

utter confusion of all trade and dealings, and the ruin of multitudes, merely to avoid paying their own just tax;—words may be wanting to express, but minds will easily conceive, and never without abhorrence.

The second amendment proposed by their lordships was, "That the located uncultivated lands belonging to the proprietaries shall not be assessed higher than the *lowest* rate, at which any located uncultivated lands belonging to the inhabitants shall be assessed." Had there been any provision in the act, that the proprietaries' lands and those of the people, of the same value, should be taxed differently, the one high, and the other low, the act might well have been called in this particular "fundamentally wrong and unjust." But, as there is no such clause, this cannot be one of the particulars on which the charge is founded; but, like the first, is merely a requisition to make the act *clear;* by express directions therein, that the proprietaries' estate should not be, as they pretended to believe it would be, taxed higher in proportion to its value than the estates of others. As to their present claim, founded on that article, "that the best and most valuable of their lands, should be taxed no higher than the worst and least valuable of the people's," it was not *then* thought of; they made no such demand; nor did any one dream, that so iniquitous a claim would ever be made by men, who had the least pretence to the characters of honorable and honest.

The third particular was, "That all lands, not granted by the proprietaries within boroughs and towns, be deemed located uncultivated lands, and rated accordingly, and not as lots." The clause in the act that this relates to is, "And whereas many valuable lots of ground within the city of Philadelphia, and the several boroughs and towns within this province, remain

unimproved; be it enacted, &c., that *all* such unimproved lots of ground within the city and boroughs aforesaid shall be rated and assessed according to their situation and value, for and towards raising the money hereby granted." The reader will observe, that the word is, *all* unimproved lots; and that *all* comprehends the lots belonging to the people, as well as those of the proprietary. There were many of the former; and a number belonging even to members of the then assembly; and, considering the value, the tax must be proportionably as grievous to them, as the proprietary's to him.

Is there among us a single man, even a proprietary relation, officer, or dependant, so insensible of the differences of right and wrong, and so confused in his notions of just and unjust, as to think and say, that the act in this particular was "fundamentally wrong and unjust"? I believe not one. What, then, could their lordships mean by the proposed amendment? Their meaning is easily explained. The proprietaries have considerable tracts of land within the bounds of boroughs and towns, that have not yet been divided into lots. They pretended to believe, that by virtue of this clause an imaginary division would be made of those lands into lots, and an extravagant value set on such imaginary lots, greatly to their prejudice. It was answered, that no such thing was intended by the act; and that by "lots" was meant only such ground as had been surveyed and divided into lots, and not the open undivided lands. If this only is intended, say their lordships, then let the act be amended, so as clearly to express what is intended. This is the full amount of the third particular. How the act was understood here, is well known by the execution of it, before the dispute came on in England, and therefore

before their lordships' opinion on the point could be given; of which full proof shall presently be made. In the mean time it appears, that the act was not on this account "fundamentally wrong and unjust."

The fourth particular is, "That the governor's consent and approbation be made necessary to every issue and application of the money, to be raised by virtue of such act." The assembly intended this, and thought they had done it in the act. The words of the clause being, "That [the commissioners named], or the major part of them, or of the survivors of them, *with the consent* or approbation of the governor or commander-in-chief of this province for the time being, shall order and appoint *the dispositions of the moneys* arising by virtue of this act, for and towards paying and clothing two thousand seven hundred effective men," &c. It was understood here, that as the power of disposing was expressly to be with the consent and approbation of the governor, the commissioners had no power to dispose of the money without that approbation. But their lordships, jealous (as their station requires) of this prerogative of the crown, and being better acquainted with the force and weakness of law expression, did not think the clause explicit enough, unless the words "*and not otherwise*" were added, or some other words equivalent. This particular, therefore, was no more than another requisition of greater clearness and precision, and by no means a foundation for the charge of "fundamentally wrong and unjust."

The fifth particular was, "That provincial commissioners be named, to hear and determine appeals, brought on the part of the inhabitants, as well as the proprietaries." There was already subsisting a provision for the appointment of county commissioners of appeal; by whom the act might be, and actually has

been (as we shall presently show), justly and impartially executed with regard to the proprietaries; but provincial commissioners appointed in the act it was thought might be of use in regulating and equalizing the modes of assessment of different counties where they were unequal, and, by affording a second appeal, tend more to the satisfaction both of the proprietaries and the people. This particular was, therefore, a mere proposed improvement of the act; which could not be, and was not, in this respect, denominated "fundamentally wrong and unjust."

We have now gone through five of the six proposed amendments, without discovering any thing on which that censure could be founded; but the sixth remains, which points at a part of the act wherein we must candidly acknowledge there is something, that, in their lordships' view of it, must justify their judgment. The words of the sixth article are, "That the payments by the tenants to the proprietaries of their rents shall be according to the term of their respective grants; as if such act had never been passed." This relates to that clause of the act by which the paper money was made a legal tender in "discharge of all manner of debts, rents, sum and sums of money whatsoever, &c., at the rates ascertained in the act of Parliament made in the sixth of Queen Anne."

From the great injustice frequently done to creditors, and complained of from the colonies, by the vast depreciation of paper bills, it was become a general fixed principle with the ministry, that such bills (whose value though fixed in the act, could not be kept fixed by the act,) ought not to be made a legal tender in any colony at those rates. The Parliament had before passed an act to take that tender away in the four New England colonies, and have since made the act general.

This was what their lordships would therefore have proposed for the amendment. But, it being represented, that the chief support of the credit of the bills was the legal tender, and that without it they would become of no value, it was allowed generally to remain, with an exception to the proprietaries' rents, where there was a special contract for payment in another coin. It cannot be denied but that this was doing justice to the proprietaries; and that, had the requisition been in favor of *all other* creditors also, the justice had been equal, as being general. We do not therefore presume to impeach their lordships' judgment, that the act, as it enforced the acceptance of bills for money at a value which they had only nominally, and not really, was in that respect "fundamentally wrong and unjust."

And yet we believe the reader will not think the assembly so much to blame, when he considers that the making paper-bills a legal tender had been the universal mode in America for more than threescore years; that there was scarce a colony, that had not practised that mode more or less; that it had always been thought absolutely necessary, in order to give the bills a credit, and thereby obtain from them the uses of money; that the inconveniences were therefore submitted to, for the sake of the greater conveniences; that acts innumerable of the like kind had been approved by the crown; and that, if the assembly made the bills a legal tender at those rates to the proprietaries, they made them also a legal tender to themselves, and all their constituents, many of whom might suffer in their rents, &c., as much in proportion to their estates as the proprietaries.

But, if he cannot on these considerations quite excuse the assembly, what will he think of those honorable proprietaries, who, when paper money was issued in their

colony for the *common defence* of their vast estates with those of the people, and who must therefore reap at least equal advantages from those bills with the people, could nevertheless wish to be exempted from their share of the unavoidable disadvantages. Is there upon earth a man besides, with any conception of what is honest, with any notion of honor, with the least tincture in his veins of the gentleman, but would have blushed at the thought, but would have rejected with disdain such undue preference, if it had been offered him? Much less would he have struggled for it, moved heaven and earth to obtain it, resolved to ruin thousands of his tenants by a repeal of the act, rather than miss of it,* and enforce it afterwards by an audaciously wicked instruction; forbidding aids to his King, and exposing the province to destruction, unless it was complied with. And yet, these are honorable men.†

Here, then, we have had a full view of the assembly's injustice, about which there has been so much insolent triumph. But let the proprietaries and their discreet deputies hereafter recollect and remember, that the same august tribunal, which censured some of the modes and circumstances of that act, did at the same

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* This would have been done, and the money all sunk in the hands of the people, if the agents, Benjamin Franklin and Robert Charles, had not interposed, and voluntarily, without authority from the assembly so to do, but at their own risk, undertaken that those amendments should be made, or that they themselves would indemnify the proprietaries from any damages they might sustain for want thereof. An action which, as the Prefacer says in another case, "posterity perhaps may find a name for."

† It is not easy to guess from what source our proprietaries have drawn their principles. Those who study law and justice, as a science, have established it a maxim in equity, "Qui sentit commodum, sentire debet et onus." And so consistent is this with the common sense of mankind, that even our lowest untaught cobblers and porters feel the force of it in their own maxim, (which *they* are honest enough never to dispute,) "Touch pot, touch penny."

time establish and confirm the grand principle of the act, namely, "That the proprietary estate ought, with other estates, to be taxed;" and thereby did, in effect, determine and pronounce, that the opposition so long made in various shapes to that just principle, by the proprietaries, was "fundamentally *wrong* and *unjust*." An injustice they were not, like the assembly, under any necessity of committing for the public good; or any other necessity, but what was imposed on them by those base passions that act the tyrant in bad minds; their selfishness, their pride, and their avarice.

I have frequently mentioned the equitable intentions of the House in those parts of the act that were supposed obscure, and how they were understood here. A clear proof thereof is found, as I have already said, in the actual execution of the act; in the execution of it before the contest about it in England, and therefore before their lordships' objections to it had a being. When the report came over, and was laid before the House, one year's tax had been levied; and the assembly, conscious that no injustice had been intended to the proprietaries, and willing to rectify it if any should appear, appointed a committee of members from the several counties to examine into the state of the proprietaries' taxes through the province, and nominated on that committee a gentleman of known attachment to the proprietaries, and their chief justice, Mr. Allen, to the end that the strictest inquiry might be made. Their report was as follows;

"We, the committee appointed to inquire into and consider the state of the proprietary taxation through the several counties, and report the same to the House, have, in pursuance of the said appointment, carefully examined the returns of property, and compared them with the respective assessments thereon made through the whole province; and find,

"First, that no part of the unsurveyed waste lands belonging to the proprietaries have, in any instance, been included in the estates taxed.

"Secondly, that some of the located uncultivated lands belonging to the proprietaries, in several counties, remain unassessed; and are not in any county assessed higher than the lands under like circumstances belonging to the inhabitants.

"Thirdly, that all lands not granted by the proprietaries, within boroughs and towns, remain untaxed, excepting in a few instances, and in those they are rated as low, as the lands which are granted in the said boroughs and towns.

"The whole of the proprietary tax of eighteen pence in the pound, amounts to £566 4*s.* 10*d.* And the sum of the tax on the inhabitants for the same year amounts, through the several counties, to £27,103 12*s.* 8*d.* And it is the opinion of your committee, that there has not been any injustice done to the proprietaries, or attempts made to rate or assess any part of their estates higher than the estates of the like kind belonging to the inhabitants are rated and assessed; but, on the contrary, we find, that their estates are rated, in many instances, below others.

"Thomas Leech,	George Ashbridge,
"Joseph Fox,	Emanuel Carpenter,
"Samuel Rhoads,	John Blackburn,
"Abraham Chapman,	William Allen."

The House communicated this report to Governor Hamilton, when he afterwards pressed them to make the stipulated act of amendment; acquainting him, at the same time, that, as in the execution of the act no injustice had hitherto been done to the proprietary, so, by a yearly inspection of the assessments, they would take care that none should be done him; for that, if

any should appear, or the governor could at any time point out to them any that had been done, they would immediately rectify it; and, therefore, as the act was shortly to expire, they did not think the amendments necessary. Thus that matter ended during *that* administration.

And had his successor, Governor Penn, permitted it still to sleep, we are of opinion it had been more to the honor of the family, and of his own discretion. But he was pleased to found upon it a *claim* manifestly unjust, and which he was totally destitute of reason to support. A claim, that the proprietaries' best and most valuable located uncultivated lands should be taxed *no higher* than the worst and least valuable of those belonging to the inhabitants; to enforce which, as he thought the words of one of the stipulations seemed to give some countenance to it, he insisted on using those very words as sacred; from which he could, "neither in decency or in duty" deviate; though he had agreed to deviate from words in the same report, and therefore equally sacred in every other instance. A conduct which will (as the Prefacer says in Governor Denny's case) for ever disgrace the annals of *his* administration.*

Never did any administration open with a more promising prospect than this of Governor Penn. He assured the people, in his first speeches, of the proprietaries' paternal regard for them, and their sincere dispositions to do every thing that might promote their happiness. As the proprietaries had been pleased to appoint a son of the family to the government, it was thought not unlikely that there might be something in

* For a fuller account of this dispute the reader is referred to the newspapers, and votes of assembly.

these professions; for that they would probably choose to have his administration made easy and agreeable, and to that end might think it prudent to withdraw those harsh, disagreeable, and unjust instructions with which most of his predecessors had been hampered.

The assembly therefore believed fully, and rejoiced sincerely. They showed the new governor every mark of respect and regard that was in their power. They readily and cheerfully went into every thing he recommended to them. And when he and his authority were insulted and endangered by a lawless, murdering mob, they and their friends took arms at his call, and formed themselves round him for his defence, and the support of his government.

But when it was found, that those mischievous instructions still subsisted, and were even farther extended; when the governor began, unprovoked, to send the House affronting messages, seizing every imaginary occasion of reflecting on their conduct; when every other symptom appeared of fixed, deep-rooted, family malice, which could but a little while bear the unnatural covering that had been thrown over it; what wonder is it, if all the old wounds broke out and bled afresh; if all the old grievances, still unredressed, were recollected; if despair succeeded of seeing any peace with a family, that could make such returns to all their overtures of kindness. And when, in the very proprietary council, composed of staunch friends of the family, and chosen for their attachment to it, it was observed, that the *old men* (1 Kings, ch. xii.) withdrew themselves, finding their opinion slighted, and that all measures were taken by the advice of two or three *young men* (one of whom too denies his share in them); is it any wonder, since like causes produce like effects, if the assembly, not-

withstanding all their veneration for the first proprietor, should say, with the children of Israel under the same circumstances, "What portion have we in David, or inheritance in the son of Jesse? To your tents, O Israel."

Under these circumstances, and a conviction, that, while so many natural sources of difference subsisted between proprietaries and people, no harmony in government could long subsist (without which neither the commands of the crown could be executed, nor the public good promoted) the House resumed the consideration of a measure that had often been proposed in former assemblies; a measure, that every proprietary province in America had, from the same causes, found themselves obliged to take, and had actually taken, or were about to take; and a measure, that had happily succeeded wherever it was taken; I mean the recourse to an immediate *royal government.*

They, therefore, after a thorough debate, and making no less than twenty-five unanimous resolves, expressing the many grievances this province had long labored under, through the proprietary government, came to the following resolution, viz. "Resolved, *nemine contradicente*, that this House will adjourn, in order to consult their constituents, whether an humble address should be drawn up and transmitted to his Majesty; praying that he would be graciously pleased to take the people of this province under his immediate protection and government; by completing the agreement heretofore made with the first proprietary for the sale of the government to the crown, or otherwise, as to his wisdom and goodness shall seem meet." *

* These words, "by completing the agreement," &c. are omitted by the honest Prefacer, in his account of the resolve, that they might not interfere with his insinuation of the measure's being impracticable; "Have

This they ordered to be made public, and it was published accordingly in all the newspapers. The House then adjourned for no less than seven weeks, to give their constituents time to consider the matter, and themselves an opportunity of taking their opinion and advice. Could any thing be more deliberate, more fair and open, or more respectful to the people that chose them? During this recess, the people in many places held little meetings with each other; the result of which was, that they would manifest their sentiments to their representatives, by petitioning the crown directly of themselves, and requesting the assembly to transmit and support those petitions. At the next meeting many of these petitions were delivered to the House with that request; they were signed by a very great number * of the most substantial inhabitants; and

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the proprietors, by any act of theirs, forfeited the least tittle of what was granted them by his Majesty's royal ancestors? Or can they be *deprived* of their charter rights without their consent?" &c. Sensible that these questions are impertinent, if those rights are already sold.

* The Prefacer, with great art, endeavours to represent this number as insignificant. He says the petitioners were but three thousand five hundred, and that the province contains near three hundred thousand *souls*. His reader is to imagine that *two hundred and ninety-six thousand five hundred* of them were applied to, and refused to sign it. The truth is, that his number of souls is vastly exaggerated. The dwelling-houses in the province, in 1752, did not exceed twenty thousand. Political arithmeticians reckon generally but five souls to a house, one house with another; and, therefore, allowing for houses since built, there are not probably more than a hundred and ten thousand souls in the province; that of these, scarce twenty-two thousand could with any propriety be petitioners. And, considering the scattered settlement of the province; the general inattention of mankind, especially in new countries, to public affairs; and the indefatigable pains taken by the proprietaries' new allies, the Presbyterian clergy of Philadelphia, (who wrote circular letters to every congregation in the county, to deter them from petitioning, by dutiful intimations, that if we were reduced to a royal government, it would be the "ruin of the province,") it is a wonder the number (near a sixth part) was so great as it was. But if there had been no such petitions, it would not have been material to the point. The assembly went upon

not the least intimation was received by the assembly from any other of their constituents, that the method was disapproved; except in a petition from an obscure township in Lancaster county, to which there were about forty names indeed, but all evidently signed by three hands only.

What could the assembly infer from the expressed willingness of a part, and silence of the rest, but that the measure was universally agreeable? They accordingly resumed the consideration of it; and, though a small, very small opposition then appeared to it in the House, yet, as even that was founded, not on the impropriety of the thing, but on the supposed unsuitableness of the time or the manner, and a majority of nine tenths being still for it, a petition was drawn, agreeable to the former resolve, and ordered to be transmitted to his Majesty.

But the Prefacer tells us, that these petitioners for a change, were a "number of rash, ignorant, and inconsiderate people," and generally of a low rank. To be sure they were not of the proprietary officers, dependents, or expectants, and those are chiefly the people of high rank among us; but they were otherwise generally men of the best estates in the province, and men of reputation. The assembly, who come from all parts of the country, and therefore may be supposed to know them, at least as well as the Prefacer, have given that testimony of them. But what is the testimony of the assembly, who, in his opinion are equally rash, ignorant, and inconsiderate with the petitioners? And, if his judgment is right, how imprudently and contrary to their charter have his *three hundred thousand souls*

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another foundation. They had adjourned to consult their constituents; they returned satisfied that the measure was agreeable to them, and *nothing appeared to the contrary.*

acted in their elections of assembly men, these twenty years past; for the charter requires them to choose men of most note for virtue, wisdom, and ability.

But these are qualities engrossed it seems by the proprietary party. For, they say, "The *wiser* and *better* part of the province had far different notions of this measure; they considered, that the moment they put their hands to these petitions they might be surrendering up their birthright." I felicitate them on the honor they have thus bestowed upon themselves; on the sincere compliments thus given and accepted; and on their having with such noble freedom discarded the snivelling pretence to modesty, couched in that threadbare form of words, "Though we say it, that should not say it." But is it not surprising, that, during the seven weeks' recess of the assembly, expressly to consult their constituents on the expediency of this measure, and during the fourteen days the House sat deliberating on it after they met again, these their wisdoms and betternesses should never be so kind as to communicate the least scrap of their prudence, their knowledge, or their consideration to their rash, ignorant, and inconsiderate representatives? Wisdom in the mind is not like money in the purse, diminished by communication to others; they might have lighted up our farthing candles for us, without lessening the blaze of their own flambeaux. But they suffered our representatives to go on in the dark till the fatal deed was done; and the petition sent to the King, praying him to take the government of this province into his immediate care; whereby, if it succeeds, "our glorious plan of public liberty and charter of privileges is to be bartered away," and we are to be made slaves for ever. Cruel parsimony! to refuse the charity of a little understanding, when God had given you so much, and

the assembly begged it as an alms. O, that you had but for once remembered and observed the counsel of that wise poet, Pope, where he says,

> "Be niggards of advice on no pretence;
> For the worst avarice is that of sense."

In the constitution of our government and in that of one more, there still remains a particular thing that none of the other American governments have; to wit, the appointment of a governor by the proprietors, instead of an appointment by the crown. This particular in government has been found inconvenient, attended with contentions and confusions wherever it existed, and has therefore been gradually taken away from colony after colony, and everywhere greatly to the satisfaction and happiness of the people.

Our wise first proprietor and founder was fully sensible of this; and being desirous of leaving his people happy, and preventing the mischiefs that he foresaw must in time arise from that circumstance, if it was continued; he determined to take it away, if possible, during his own lifetime. They accordingly entered into a contract for the sale of the proprietary right of government to the crown; and actually received a sum in part of the consideration. As he found himself likely to die before that contract (and with it his plan for the happiness of his people) could be completed, he carefully made it part of his last will and testament, devising the right of the government to two noble lords, in trust, that they should release it to the crown. Unfortunately for us, this has never yet been done. And this is merely what the assembly now desire to have done.

Surely he that formed our constitution, must have understood it. If he had imagined, that all our privileges depended on the proprietary government, will

any one suppose, that he would himself have meditated the change; that he would have taken such effectual measures as he thought them, to bring it about speedily, whether he should live or die? Will any of those, who now extol him so highly, charge him at the same time with the baseness of endeavouring thus to defraud his people of all the liberties and privileges he had promised them, and by the most solemn charters and grants assured to them, when he engaged them to assist him in the settlement of his province? Surely none can be so inconsistent. And yet this proprietary right of governing or appointing a governor has all of a sudden changed its nature; and the preservation of it become of so much importance to the welfare of the province, that the assembly's only petitioning to have their venerable founder's will executed, and the contract he entered into for the good of his people completed, is styled, an "attempt to violate the constitution for which our fathers planted a wilderness; to barter away our glorious plan of public liberty and charter privileges; a risking of the whole constitution; an offering up our whole charter rights; a wanton sporting with things sacred," &c.

Pleasant surely it is to hear the proprietary partisans, of all men, bawling for the constitution, and affecting a terrible concern for our liberties and privileges. They, who have been these twenty years cursing our constitution, declaring that it was no constitution, or worse than none; and that things could never be well with us, till it was new modelled, and made exactly conformable to the British constitution; they who have treated our distinguishing privileges as so many illegalities and absurdities; who have solemnly declared in print, that, though such privileges might be proper in the infancy of a colony to encourage its settlement, they became

unfit for it in its grown state, and ought to be taken away; they who, by numberless falsehoods, propagated with infinite industry in the mother country, attempted to procure an act of Parliament for the actual depriving a very great part of the people of their privileges; they, too, who have already deprived the whole people of some of their most important rights, and are daily endeavouring to deprive them of the rest; are these become patriots and advocates for our constitution? Wonderful change! Astonishing conversion! Will the wolves then protect the sheep, if they can but persuade them to give up their dogs? Yes; the assembly would destroy all their own rights and those of the people, and the proprietary partisans are become the champions for liberty. Let those, who have faith, now make use of it; for, if it is rightly defined "the evidence of things not seen," certainly never was there more occasion for such evidence, the case being totally destitute of all other.

It has been long observed, that men are, with that party, angels or demons, just as they happen to concur with or oppose their measures. And I mention it for the comfort of *old sinners*, that in politics, as well as in religion, repentance and amendment, though late, shall obtain forgiveness, and procure favor. Witness the late speaker, Mr. Norris; a steady and constant opposer of all the proprietary encroachments, and whom, for thirty years past, they have been therefore continually abusing, allowing him no one virtue or good quality whatsoever; but now, as he showed some unwillingness to engage in this present application to the crown, he is become all at once the "faithful servant." But let me look at the text, to avoid mistakes; and, indeed, I was mistaken; I thought it had been "faithful servant of the public," but I find it is only "of the

House." Well chosen, that expression, and prudently guarded. The former, from a proprietary pen, would have been praise too much; only for disapproving the time of the application. Could you, much respected Sir, go but a little farther, and disapprove the application itself; could you but say the proprietary government is a good one, and ought to be continued; then might all your political offences be done away, and your scarlet sins become as snow and wool; then might you end your course with (proprietary) honor. P—— should preach your funeral sermon, and S——, the poisoner of other characters, embalm your memory. But those honors you will never receive; for, with returning health and strength, you will be found in your old post, firm for your country.

There is encouragement too for *young sinners*. Mr. Dickinson, whose speech our Prefacer has introduced to the world, (though long hated by some, and disregarded by the rest, of the proprietary faction,) is at once, for the same reason as in Mr. Norris's case, become a sage in the law, and an oracle in matters relating to our constitution. I shall not endeavour to pluck so much as a leaf from these the young gentleman's laurels. I would only advise him carefully to preserve the panegyrics with which they have adorned him; in time they may serve to console him, by balancing the calumny they shall load him with, when he does not go through with them in all their measures. He will not probably do the one, and they will then assuredly do the other. There are mouths that can blow hot as well as cold, and blast on your brows the bays their hands have placed there. *Experto crede Roberto.* Let but the proprietary favor withdraw its shine for a moment; and that "great number of the *principal gentlemen* of Philadelphia," who applied to you for the

copy of your speech, shall immediately despise and desert you.

"Those principal gentlemen!" what a pity it is that their names were not given us in the Preface, together with their admirable letter. We should then have known where to run for advice on all occasions. We should have known whom to choose for our future representatives; for undoubtedly these were they, that are elsewhere called "the *wiser* and *better* part of the province." None but wisdoms could have known beforehand that a speech which they never heard, and a copy of which they had never seen, but were then requesting to see, was "a spirited defence," and "of our charter privileges;" and that "the publication of it would be of great utility, and give general satisfaction." No inferior sagacity could discover, that the appointment of a governor by the proprietor was one of our "charter privileges"; and that those, who opposed the application for a royal government, were therefore patriot members appearing on the side of our privileges and our charter.

Utterly to confound the assembly, and show the excellence of proprietary government, the Prefacer has extracted from their own votes, the praises they have from time to time bestowed on the first proprietor, in their addresses to his sons. And, though addresses are not generally the best repositories of historical truth, we must not in this instance deny their authority.*

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* In the Preface to Dickinson's Speech, the following character of William Penn was inserted, every phrase in which was taken, as the writer said, from the minutes of the assembly. — EDITOR.

"WILLIAM PENN,
A man of principles truly humane,
An advocate for
Religion and Liberty,
Possessing a noble spirit,

That these encomiums on the father, though sincere, have occurred so frequently, was owing, however, to two causes; first, a vain hope the assemblies entertained, that the father's example, and the honors done his character, might influence the conduct of the sons; secondly, for that, in attempting to compliment the sons on their own merits, there was always found an extreme scarcity of matter. Hence, *the father, the honored and honorable father*, was so often repeated, that the sons themselves grew sick of it, and have been

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That exerted itself
For the good of mankind,
Was
The great and worthy founder
Of
Pennsylvania.
To its inhabitants, by Charter,
He granted and confirmed
Many singular Privileges and Immunities,
Civil and religious;
Which he continually studied
To preserve and defend for them,
Nobly declaring,
That they had not followed him so far
To lose a single tittle
Of the Great Charter
To which all Englishmen were born!
For these services,
Great have been the acknowledgments
Deservedly paid to his merit;
And his memory
Is dear to his people,
Who have repeatedly confessed,
That,
Next to Divine Providence,
Their happiness, prosperity, and increase
Are owing
To his wise conduct and singular goodness,
Which deserve ever to be remembered,
With
Gratitude and Affection,
By Pennsylvanians."

heard to say to each other with disgust, when told that A, B, and C were come to wait upon them with addresses on some public occasion, "*Then I suppose we shall hear more about our father.*" So that, let me tell the Prefacer, who perhaps was unacquainted with this anecdote, that if he hoped to curry more favor with the family, by the inscription he has framed for that great man's monument, he may find himself mistaken; for there is too much in it of *our father.*

If, therefore, he would erect a monument to the sons, the votes of the assembly, which are of such credit with him, will furnish him with ample materials for his inscription.

To save him trouble, I will essay a sketch for him, in the lapidary style, though mostly in the expressions, and everywhere in the sense and spirit, of the assembly's resolves and messages.

Be this a Memorial
Of T——— and R——— P——,
P——— of P———,*
Who, with estates immense,
Almost beyond computation,
When their own province,
And the whole British empire,
Were engaged in a bloody and most expensive war,
Begun for the defence of those estates,
Could yet meanly desire
To have those very estates
Totally or partially
Exempted from taxation,
While their fellow-subjects all around them,
Groaned
Under the universal burden.
To gain this point,
They refused the necessary laws
For the defence of their people,
And suffered their colony to welter in its blood,
Rather than abate in the least

* That is, Thomas and Richard Penn, Proprietors of Pennsylvania.—EDITOR.

Of these their dishonest pretensions.
The privileges granted by their father,
Wisely and benevolently
To encourage the first settlers of the province,
They,
Foolishly and cruelly,
Taking advantage of public distress,
Have extorted from the posterity of those settlers;
And are daily endeavouring to reduce them
To the most abject slavery;
Though to the virtue and industry of those people,
In improving their country,
They owe all that they possess and enjoy.
A striking instance
Of human depravity and ingratitude;
And an irrefragable proof,
That wisdom and goodness
Do not descend with an inheritance;
But that ineffable meanness
May be connected with unbounded fortune.*

What then avails it to the honor of the present proprietors, that our founder and their father gave us privileges; if they, the sons, will not permit the use of them, or forcibly rend them from us? David may have been a man after God's own heart, and Solomon the wisest of proprietors and governors; but if Rehoboam will be a tyrant and a ——, who can secure him the affections of the people? The virtue and merit of his ancestors may be very great; but his presumption in depending upon these alone may be much greater.

I lamented, a few pages ago, that we were not acquainted with the names of those "principal gentlemen, the wiser and better part of the province." I now rejoice that we are likely some time or other to know them; for a copy of a "Petition to the King" is now before me; which, from its similarity with their letter,

* Votes and Proceedings of the House of Representatives, 1754, *passim*; 1755, 1756, 1757, *passim*; 1758, 1759, 1760, 1761, 1762, 1763, 1764, *passim*.

must be of their inditing and will probably be recommended to the people, by their leading up the signing

On this petition I shall take the liberty of making a few remarks, as they will save me the necessity of following farther the Preface; the sentiments of this and that being nearly the same.

It begins with a formal quotation from the petition,* which they own they have not seen, and of words that are not in it; and, after relating very imperfectly and unfairly the fact relating to their application for a copy of it, which is of no importance, proceeds to set forth, "That, as we and all your American subjects must be governed by persons authorized and approved by your Majesty, on the best recommendation that can be obtained of them, we cannot perceive our condition in this respect to be different from our fellow-subjects around us; or that we are thereby less under your Majesty's particular care and protection than they are; since there can be no governors of this province without your Majesty's immediate approbation and authority."

Such a declaration from the wiser part of the province is really a little surprising. What! when disputes concerning matters of property are daily arising between you and your proprietaries, cannot your wisdoms perceive the least difference between having the judges of those disputes appointed by a royal governor, who has no interest in the cause, and having them appointed by the proprietaries themselves, the principal parties against you, and during their pleasure too? When supplies are necessary to be raised for your defence, can you perceive no difference between having

* The petition of the assembly to the King for a Royal Government. —Editor.

a royal governor, free to promote his Majesty's service by a ready assent to your laws, and a proprietary governor, shackled by instructions, forbidding him to give that assent, unless some private advantage is obtained, some profit got, or unequal exemption gained for their estate, or some privilege wrested from you? When prerogative, that in other governments is only used for the good of the people, is here strained to the extreme, and used to their prejudice, and the proprietaries' benefit, can you perceive no difference? When the direct and immediate rays of Majesty benignly and mildly shine on all around us, but are transmitted and thrown upon *us* through the burning-glass of proprietary government, can your sensibilities feel no difference? Sheltered perhaps in proprietary offices, or benumbed with expectations, it may be you cannot. But surely you might have known better than to tell his Majesty, "that there can be no governors of this province, without his immediate approbation." Don't you know, who know so much, that by our blessed constitution the proprietors themselves, whenever they please, may govern us in person, without such approbation?

The petition proceeds to tell his Majesty, "That the particular mode of government which we enjoy, under your Majesty, is held in the highest estimation by good men of all denominations among us; and has brought multitudes of industrious people from various parts of the world," &c. Really, can this be from proprietary partisans? That constitution, which they were for ever censuring, as defective in a legislative council, defective in government powers, too popular in many of its modes; is it now become so excellent? Perhaps, as they have been tinkering it these twenty years, till they have stripped it of some of its most valuable privileges, and almost spoiled it, they now begin to like it.

But then it is not surely this present constitution, that brought hither those multitudes. They came before. At least it was not that particular in our constitution, (the proprietary power of appointing a governor,) which attracted them; that single particular, which alone is now in question; which our venerable founder first, and now the assembly, are endeavouring to change.

As to the remaining valuable part of our constitution, the assembly have been equally full and strong in expressing their regard for it, and perhaps stronger and fuller; for their petition in that respect is in the nature of a petition of right; it lays claim, though modestly and humbly, to those privileges on the foundation of royal grants, on laws confirmed by the crown, and on justice and equity; as the grants were the considerations offered to induce them to settle, and which they have in a manner purchased and paid for, by executing that settlement without putting the crown to any expense.

Whoever would know what our constitution was, when it was so much admired, let him peruse that elegant farewell speech of Mr. Hamilton, father of our late governor, when, as Speaker, he took his leave of the House, and of public business, in 1739; and then let him compare that constitution with the present. The power of *appointing public officers* by the representatives of the people, which he so much extols; where is it now? Even the bare naming to the governor in a bill, a trivial officer to receive a light-house duty, (which could be considered as no more than a mere recommendation,) is, in a late message, styled "an encroachment on the prerogative of the crown." The sole power of *raising and disposing of public money*, which he says was then lodged in the assembly; that inestimable privilege, what is become of it? Inch by

inch they have been wrested from us in times of public distress; and the rest are going the same way. I remember to have seen, when Governor Hamilton was engaged in a dispute with the assembly on some of those points, a copy of that speech, which then was intended to be reprinted, with a dedication to that honorable gentleman, and this motto, from John Rogers's verses in the Primer;

> "We send you here a little book,
> For you to look upon,
> That you may see your father's face,
> Now he is dead and gone."

Many a such little book has been sent by our assemblies to the present proprietaries; but they do not like to see their father's face; it puts their own out of countenance.

The petition proceeds to say, "That such disagreements as have arisen in this province, we have beheld with sorrow; but, as others around us are not exempted from the like misfortunes, we can by no means conceive them incident to the nature of our government, which hath often been administered with remarkable harmony; and your Majesty, before whom our late disputes have been laid, can be at no loss, in your great wisdom to discover, whether they proceed from the above cause, or should be ascribed to some others." The disagreements in question are proprietary disagreements in government, relating to proprietary private interests. And are not the royal governments around us exempt from these misfortunes? Can you really, Gentlemen, by no means conceive, that proprietary government disagreements are incident to the nature of proprietary governments? Can they in nature be incident to any other governments? If your wisdoms are so hard to conceive, I am afraid they will never bring forth.

But then our government "hath *often* been administered with remarkable harmony." Very true; as often as the assembly have been able and willing to purchase that harmony, and pay for it; the mode of which has already been shown. And yet that word *often* seems a little unluckily chosen; the flame that is often put out, must be as often lit. If our government "hath often been administered with remarkable harmony," it hath as often been administered with remarkable discord. One *often* is as numerous as the other. And his Majesty, if he should take the trouble of looking over our disputes (to which the petitioners, to save themselves a little pains, modestly and decently refer him), where will he, for twenty years past, find any but proprietary disputes concerning proprietary interests; or disputes that have been connected with and arose from them?

The petition proceeds to assure his Majesty, "that this province (except from the Indian ravages) enjoys the *most perfect internal tranquillity.*" Amazing! What! the most perfect tranquillity, when there have been three atrocious riots within a few months! When, in two of them, horrid murders were committed on twenty innocent persons; and, in the third, no less than one hundred and forty like murders were meditated, and declared to be intended, with as many more as should be occasioned by any opposition! When we know, that these rioters and murderers have none of them been punished, have never been prosecuted, have not even been apprehended; when we are frequently told, that they intend still to execute their purposes as soon as the protection of the King's forces is withdrawn! Is our tranquillity more perfect now, than it was between the first riot and the second, or between the second and the third? And why "except the In-

dian ravages," if a *little intermission* is to be denominated "the most perfect tranquillity"? for the Indians too have been quiet lately. Almost as well might ships in an engagement talk of the "most perfect tranquillity" between two broadsides. But "a spirit of riot and violence is foreign to the general temper of the inhabitants." I hope and believe it is; the assembly have said nothing to the contrary. And yet is there not too much of it? Are there not pamphlets continually written, and daily sold in our streets, to justify and encourage it? Are not the mad armed mob in those writings instigated to embrue their hands in the blood of their fellow citizens, by first applauding their murder of the Indians, and then representing the assembly and their friends as worse than Indians, as having privately stirred up the Indians to murder the white people, and armed and rewarded them for that purpose? *Lies*, Gentlemen, villanous as ever the malice of hell invented, and which, to do you justice, not one of you believes, though you would have the mob believe them.

But your petition proceeds to say, "that where such disturbances have happened, they have been *speedily quieted*." By whom were they quieted? The two first, if they can be said to be quieted, were quieted only by the rioters themselves going home quietly (that is, without any interruption), and remaining there till their next insurrection, without any pursuit or attempt to apprehend any of them. And the third, was it quieted, or was the mischief they intended prevented, or could it have been prevented, without the aid of the King's troops, marched into the province for that purpose? "The civil powers have been supported," in some sort. We all know how they were supported; but have they been fully supported? Has the government sufficient strength, even with all its supports, to

venture on the apprehending and punishment of those notorious offenders? If it has not, why are you angry at those who would strengthen its hands by a more immediate royal authority? If it has, why is not the thing done? Why will the government, by its conduct, strengthen the suspicions (groundless no doubt), that it has come to a private understanding with those murderers, and that impunity for their past crimes is to be the reward of their future political services? O, but says the petition, "There are perhaps cases in all governments, where it may *not be possible speedily to discover offenders.*" Probably; is there any case in any government where it is not possible to *endeavour* such a discovery? There may be cases where it is not safe to do it. And perhaps the best thing our government can say for itself is, that that is our case. The only objection to such an apology must be, that it would justify that part of the assembly's petition to the crown which relates to the weakness of our present government.*

Still, if there is any fault, it must be in the assembly. "For," says the petition, "if the executive part of our government should seem in any case too weak, we conceive it is the duty of the assembly, and in their power, to strengthen it." This weakness, however, you have just denied. "Disturbances," you say, "have been speedily quieted, and the civil power supported;" and thereby you have deprived your insinuated charge against the assembly of its only support. But is it not a fact known to you all, that the assembly

* The assembly, being called upon by the governor for their advice on that occasion, did, in a message, advise his sending for and examining the magistrates of Lancaster county and borough, where the murders were committed, in order to discover the actors; but neither that, nor any of the other measures recommended, were ever taken. Proclamations indeed were published, but soon discontinued.

did endeavour to strengthen the hands of the government? That, at his Honor's instance, they prepared and passed in a few hours a bill for extending hither the act of Parliament for dispersing rioters? That they also passed and presented to him a militia bill, which he refused, unless powers were thereby given him over the lives and properties of the inhabitants, which the public good did not require, and which their duty to their constituents would not permit them to trust in the hands of any proprietary governor? You know the points, Gentlemen; they have been made public. Would you have had your representatives give up those points? Do you intend to give them up, when at the next election you are made assembly-men? If so, tell it us honestly beforehand, that we may know what we are to expect, when we are about to choose you.

I come now to the last clause of your petition, where, with the same wonderful sagacity with which you in another case discovered the excellency of a speech you never heard, you undertake to characterize a petition you own you never saw; and venture to assure his Majesty, that it is "exceeding grievous in its nature; that it by no means contains a proper representation of the state of this province; and is repugnant to the general sense of his numerous and loyal subjects" in it. Are, then, his Majesty's numerous and loyal subjects in this province all as great wizards as yourselves, and capable of knowing, without seeing it, that a petition is repugnant to their general sense?

But the inconsistence of your petition, Gentlemen, is not so much to be wondered at. The prayer of it is still more extraordinary; "We therefore most humbly pray, that your Majesty would be graciously pleased wholly to disregard the said petition of the assembly."

What! without inquiry! without examination! without a hearing of what the assembly might say in support of it! "wholly disregard" the petition of your representatives in assembly; accompanied by other petitions signed by thousands of your fellow subjects, as loyal, if not as wise and as good as yourselves! Would you wish to see your great and amiable prince act a part that could not become a Dey of Algiers? Do you, who are Americans, pray for a precedent of such contempt in the treatment of an American assembly! Such "total disregard" of their humble applications to the throne? Surely your Wisdoms here have overshot yourselves. But as wisdom shows itself, not only in doing what is right, but in confessing and *amending* what is wrong, I recommend the latter particularly to your present attention, being persuaded of this consequence, that, though you have been mad enough to sign such a petition, you never will be fools enough to present it.

There is one thing mentioned in the Preface, which I find I omitted to take notice of as I came along, the refusal of the House to enter Mr. Dickinson's protest on their minutes. This is mentioned in such a manner there and in the newspapers, as to insinuate a charge of some partiality and injustice in the assembly. But the reasons were merely these; that, though protesting may be a practice with the Lords of Parliament, there is no instance of it in the House of Commons, whose proceedings are the model followed by the assemblies of America; that there is no precedent of it in our votes, from the beginning of our present constitution; and that the introducing such a practice would be attended with inconveniences, as the representatives in assembly are not, like the Lords in Parliament, unaccountable to any constituents; and would therefore find it necessary for their own justification, if the reasons of the minority

for being against a measure were admitted in the votes, to put there likewise the reasons that induced the majority to be for it; whereby the votes, which were intended only as a register of propositions and determinations, would be filled with the disputes of members with members, and the public business be thereby greatly retarded, if ever brought to a period.

As that protest was a mere abstract of Mr. Dickinson's speech, every particular of it will be found answered in the following speech of Mr. Galloway; from which it is fit that I should no longer detain the reader.

REMARKS

ON A LATE PROTEST

AGAINST THE

APPOINTMENT OF MR. FRANKLIN AS AGENT

FOR THE

PROVINCE OF PENNSYLVANIA.

The zeal and perseverance, with which Franklin had espoused the cause of the people against the proprietaries, raised up many enemies in the adverse party. At the election for a new assembly, therefore, in the autumn of 1764, great efforts were made by his opponents to prevent his being chosen, in which they succeeded. By a small majority he lost his seat in the assembly, which he had held for fourteen years, having been annually elected, even during his absence in England, as one of the delegates from the city of Philadelphia. But, notwithstanding this defeat, when the assembly met, it was found that his friends and the friends of his measures outnumbered the proprietary party, and he was again appointed to resume his agency in England, and to take charge of a petition to the King. Dissatisfied with this step, the minority in the House drew up a formal protest, and urged its being inserted in the minutes; but it was refused, on the ground of its being irregular and unprecedented. The protest was published, and gave occasion for the following reply, written at the moment the author was preparing to depart for Europe. — EDITOR.

I HAVE generally passed over, with a silent disregard, the *nameless* abusive pieces that have been written against me; and, though this paper, called "A Protest," is signed by some respectable names, I was,

nevertheless, inclined to treat it with the same indifference; but as the assembly is therein reflected on upon my account, it is thought more my duty to make some remarks upon it.

I would first observe, then, that this mode of *protesting* by the minority, with a string of reasons against the proceedings of the majority of the House of Assembly, is quite new among us; the present is the second we have had of the kind, and both within a few months. It is unknown to the practice of the House of Commons, or of any House of Representatives in America, that I have heard of; and seems an affected imitation of the Lords in Parliament, which can by no means become assembly-men of America. Hence appears the absurdity of the complaint, that the House refused the protest an entry on their minutes. The protesters know, that they are not by any custom or usage entitled to such an entry; and that the practice here is not only useless in itself, but would be highly inconvenient to the House, since it would probably be thought necessary for the majority also to enter their reasons, to justify themselves to their constituents; whereby the minutes would be encumbered, and the public business obstructed. More especially will it be found inconvenient, if such protests are made use of as a new form of libelling, as the vehicles of personal malice, and as means of giving to private abuse the appearance of a sanction as public acts. Your protest, Gentlemen, was therefore properly refused; and, since it is no part of the proceedings of assembly, one may with the more freedom examine it.

Your first reason against my appointment is, that you "believe me to be the chief author of the measures pursued by the last assembly, which have occasioned such uneasiness and distraction among the good

people of this province." I shall not dispute my share in those measures; I hope they are such as will in time do honor to all that were concerned in them. But you seem mistaken in the order of time. It was the uneasiness and distraction among the good people of the province, that occasioned the measures; the province was in confusion before they were taken, and they were pursued in order to prevent such uneasiness and distraction for the future. Make one step farther back, and you will find proprietary injustice, supported by proprietary minions and creatures, the original cause of all our uneasiness and distractions.

Another of your reasons is, "that I am, as you are informed, very unfavorably thought of by several of his Majesty's ministers." I apprehend, Gentlemen, that your informer is mistaken. He indeed has taken great pains to give unfavorable impressions of me, and perhaps may flatter himself, that it is impossible so much true industry should be totally without effect. His long success in maiming or murdering all the reputations that stand in his way (which has been the dear delight and constant employment of his life) may likewise have given him some just ground for confidence, that he has, as they call it, *done* for me, among the rest. But, as I said before, I believe he is mistaken. For what have I done, that they should think unfavorably of me? It cannot be my constantly and uniformly promoting the measures of the crown, ever since I had any influence in the province. It cannot, surely, be my promoting the change from a proprietary to a royal government.

If indeed I had, by speeches and writings, endeavoured to make his Majesty's government universally odious in the province; if I had harangued by the week, to all comers and goers, on the pretended injustice and oppressions of royal government, and the slavery of the

people under it; if I had written traitorous papers to this purpose, and got them translated into other languages, to give his Majesty's foreign subjects here those horrible ideas of it; if I had declared, written, and printed, that "the King's little finger we should find heavier than the proprietor's whole loins," with regard to our liberties; then, indeed, might the ministers be supposed to think unfavorably of me. But these are not exploits for a man who holds a profitable office under the crown, and can expect to hold it no longer than he behaves with the fidelity and duty that becomes every good subject. They are only for officers of proprietary appointment, who hold their commissions during his, and not the King's, pleasure; and who, by dividing among themselves and their relations offices of many thousands a year enjoyed by proprietary favor, *feel* where to place their loyalty. I wish they were as good subjects to his Majesty; and perhaps they may be so, when the proprietary interferes no longer.

Another of your reasons is, "that the proposal of me for an agent is extremely disagreeable to a very great number of the most serious and reputable inhabitants of the province; and the proof is, my having been rejected at the last election, though I had represented the city in assembly for fourteen years."

And do those of you, Gentlemen, reproach me with this, who, among near four thousand voters, had scarcely a score more than I had? It seems then, that your elections were very near being rejections, and thereby furnishing the same proof in your case that you produce in mine, of your being likewise extremely disagreeable to a very great number of the most serious and reputable people. Do you, honorable Sir, reproach me with this, who for almost twice fourteen years have been rejected (if *not being chosen* is *to be rejected*) by

the same people; and (unable, with all your wealth and connexions, and the influence they give you, to obtain an election in the county where you reside, and the city where you were born, and are best known,) have been obliged to accept a seat from one of the out counties, the remotest of the province! It is known, Sir, to the persons who proposed me, that I was first chosen against my inclination, and against my entreaties that I might be suffered to remain a private man. In none of the fourteen elections you mention did I ever appear as a candidate. I never did, directly or indirectly, solicit any man's votes. For six of the years in which I was annually chosen, I was absent, residing in England; during all which time, your secret and open attacks upon my character and reputation were incessant; and yet you gained no ground. And can you really, Gentlemen, find matter of triumph in this *rejection* as you call it? A moment's reflection on the means by which it was obtained, must make you ashamed of it.

Not only my duty to the crown, in carrying the post-office act more duly into execution, was made use of to exasperate the ignorant, as if I was increasing my own profits, by picking their pockets; but my very zeal in opposing the murderers, and supporting the authority of government, and even my humanity with regard to the innocent Indians under our protection, were mustered among my offences, to stir up against me those religious bigots, who are of all savages the most brutish. Add to this the numberless falsehoods propagated as truths; and the many perjuries procured among the wretched rabble brought to swear themselves entitled to a vote; and yet so poor a superiority obtained at all this expense of honor and conscience! Can this, Gentlemen, be matter of triumph? Enjoy it then. Your exultation, however, was short.

Your artifices did not prevail everywhere; nor your double tickets, and whole boxes of forged votes. A great majority of the new-chosen assembly were of the old members, and remain uncorrupted. They still stood firm for the people, and will obtain justice from the proprietaries. But what does that avail to you, who are in the proprietary interest? And what comfort can it afford you, when, by the assembly's choice of an agent, it appears that the same, to you obnoxious, man (notwithstanding all your venomous invectives against him) still retains so great a share of the public confidence?

But "this step," you say, "gives you the more lively affliction, as it is taken at the very moment when you were informed by a member of the House, that the governor had assured him of his having received instructions from the proprietaries, to give his assent to the taxation of their estates, in the same manner that the estates of other persons are to be taxed; and also to confirm, for the public use, the several squares formerly claimed by the city." O the force of friendship! the power of interest! What politeness they infuse into a writer, and what delicate expressions they produce!

The dispute between the proprietaries and us was about the quantum, the rate of their taxation; and not about the manner; but now, when all the world condemns them for requiring a partial exemption of their estates, and they are forced to submit to an honest equality, it is called "*assenting* to be taxed in the *same* manner with the people." Their restitution of five public squares in the plan of the city, which they had near forty years unjustly and dishonorably seized and detained from us, (directing their surveyor to map streets over them, in order to turn them into lots, and

their officers to sell a part of them,) this their *disgorging* is softly called *confirming* them for the public use; and instead of the plain words, "formerly given to the city by the first proprietary, their father," we have the cautious, pretty expression of "formerly *claimed* by the city." Yes; not only *formerly*, but always claimed, ever since they were promised and given to encourage the settlers; and ever will be claimed, till we are put in actual possession of them. It is pleasant, however, to see how lightly and tenderly you trip over these matters, as if you trod upon eggs.

But that "*very moment*," that precious moment! Why was it so long delayed? Why were those healing instructions so long withheld and concealed from the people? They were, it seems, brought over by Mr. Allen.* Intelligence was received by various hands from London, that orders were sent by the proprietaries, from which great hopes were entertained of an accommodation. Why was the bringing and the delivery of such orders so long denied? The reason is easily understood. Messieurs Barclays, friends to both proprietaries and people, wished for that gentleman's happy arrival; hoping his influence, added to the power and commissions the proprietaries had vested him with, might prove effectual in restoring harmony and tranquillity among us. But he, it seems, hoped his influence might do the business without these additions.

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* Extract of a Letter, dated London, August 6th, 1764, from David Barclay and Sons to Messieurs James and Drinker.

"We very much wish for William Allen's happy arrival on your side; when we hope his influence, added to the *power* and *commissions* the proprietaries have invested him with, may prove effectual in restoring harmony and tranquillity among you, so much to be desired by every well-wisher to your province. Pray be assured of our sincerest and best wishes for the success of this salutary work, and that nothing in our power to contribute thereto will ever be wanting."

There appeared, on his arrival, some prospect (from sundry circumstances) of a change to be made in the House by the approaching election. The proprietary friends and creatures knew the heart of their master, and how extremely disagreeable to him that equal taxation, that restitution, and the other concessions to be made for the sake of a reconciliation, must necessarily be. They hoped therefore to spare him all those mortifications, and thereby secure a greater portion of his favor. Hence the instructions were not produced to the last assembly; though they arrived before the September sitting, when the governor was in town, and actually did business with the House. Nor to the new assembly were they mentioned, till the "*very moment*," the fatal moment, when the House were on the point of choosing that wicked adversary of the proprietary, to be an agent for the province in England.

But I have, you say, a "fixed enmity to the proprietaries," and "you believe it will preclude all accommodation of our disputes with them, even on just and reasonable terms." And why do you think I have a fixed enmity to the proprietaries? I have never had any personal difference with them. I am no land-jobber; and therefore have never had any thing to do with their land office or officers; if I had, probably, like others, I might have been obliged to truckle to their measures, or have had like causes of complaint. But our private interests never clashed; and all their resentment against me, and mine to them, has been on the public account. Let them do justice to the people of Pennsylvania, act honorably by the citizens of Philadelphia, and become honest men; my enmity, if that's of any consequence, ceases from the "*very moment*," and, as soon as I possibly can, I promise to love, honor, and respect them.

In the mean time, why do you "believe it will preclude all accommodation with them on just and reasonable terms?" Do you not boast, that their gracious condescensions are in the hands of the governor; and that "if this had been the usual time for business, his Honor would have sent them down in a message to the House." How then can my going to England prevent this accommodation? The governor can call the House when he pleases; and, one would think, that, at least in your opinion, my being out of the way would be a favorable circumstance. For then, by "cultivating the disposition shown by the proprietaries, every reasonable demand that can be made on the part of the people might be obtained; in vigorously insisting on which, you promise to unite more earnestly with the rest of the House." It seems then we have "reasonable demands" to make, and as you call them a little higher, *equitable demands*. This is much for proprietary minions to own; but you are all growing better, in imitation of your master, which is indeed very commendable. And, if the accommodation here should fail, I hope that, though you dislike the person a majority of two to one in the House have thought fit to appoint an agent, you will nevertheless, in duty to your country, continue the noble resolution of uniting with the rest of the House in vigorously insisting on that equity and justice, which such an union will undoubtedly obtain for us.

I pass over the trivial charge against the assembly, that they "acted with unnecessary haste in proceeding to this appointment, without making a small adjournment," &c., and your affected apprehensions of danger from that haste. The necessity of expedition on this occasion is as obvious to every one out of doors, as it was to those within; and the fears you mention are not, I fancy, considerable enough to break your rest.

I come then to your *high* charge against me, "that I heretofore ventured, contrary to an act of assembly, to place the public money in the stocks; whereby this province suffered a loss of six thousand pounds, and that sum, added to the five thousand pounds granted for my expenses, makes the whole cost of my former voyage to England amount to *eleven thousand pounds!*" How wisely was that form in our laws contrived, which, when a man is arraigned for his life, requires the evidence to speak *the truth*, the *whole truth*, and *nothing but the truth!* The reason is manifest. A falsehood may destroy the innocent; so may part of a truth without the whole; and a mixture of truth and falsehood may be full as pernicious. You, Mr. Chief Justice, and the other justices among the protesters, and you, Sir, who are a Counsellor at Law, must all of you be well acquainted with this excellent form; and when you arraigned my reputation (dearer to me than life) before the assembly, and now at the respectable tribunal of the public, would it not have well become your honors to have had some small regard at least to the spirit of that form?

You might have mentioned, that the direction of the act to lodge the money in the bank, subject to the drafts of the trustees of the loan-office here, was impracticable; that the bank refused to receive it on those terms, it being contrary to their settled rules to take charge of money subject to the orders of unknown people living in distant countries. You might have mentioned, that the House, being informed of this, and having no immediate call for the money, did themselves adopt the measure of placing it in the stocks, which then were low; where it might on a peace produce a considerable profit, and in the mean time accumulate an interest. That they even passed a bill, directing the

subsequent sums granted by Parliament to be placed with the former; that the measure was prudent and safe; and that the loss arose, not from placing the money *in* the stocks, but from the imprudent and unnecessary *drawing it out* at the very time when they were lowest, on some slight uncertain rumors of a peace concluded; that, if the assembly had let it remain another year, instead of losing, they would have gained *six thousand pounds;* and that, after all, since the exchange at which they sold their bills was near twenty per cent higher when they drew than when the stocks were purchased, the loss was far from being so great as you represent it.

All these things you might have said; for they are, and you know them to be, part of the *whole truth;* but they would have spoiled your accusation. The late Speaker of your honorable House, Mr. Norris, (who has, I suppose, all my letters to him, and copies of his own to me, relating to that transaction,) can testify with how much integrity and clearness I managed the whole affair. All the House were sensible of it, being from time to time fully acquainted with the facts. If I had gone to gaming in the stocks with the public money, and through my fault a sum was lost, as your protest would insinuate, why was I not censured and punished for it when I returned? You, honorable Sir, (my enemy of seven years' standing) were then in the House. You were appointed on the committee for examining my accounts; you reported, that you found them just, and signed that report.*

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* Report of the Committee on Benjamin Franklin's Accounts.

"February 19th, 1763. In obedience to the order of the House, we have examined the account of Benjamin Franklin, Esquire, with the vouchers to us produced in support thereof, and do find the same account to be just; and that he has expended, in the immediate service of this

I never solicited the employ of agent; I made no bargain for my future service, when I was ordered to England by the assembly; nor did they vote me any salary. I lived there near six years at my own expense, and I made no charge or demand when I came home You, Sir, of all others, were the very member that proposed (for the honor and justice of the House) a compensation to be made me of the five thousand pounds you mention. Was it with an intent to reproach me thus publicly for accepting it? I thanked the House for it then, and I thank you now for proposing it; though you, who have lived in England, can easily

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province, the sum of *seven hundred and fourteen pounds, ten shillings, and seven pence*, out of the sum of *fifteen hundred pounds* sterling, to him remitted and paid, exclusive of any allowance or charge for his support and services for the province.

"JOHN MORTON, JOHN HUGHES,
WILLIAM ALLEN, SAMUEL RHOADS,
JOHN ROSS, JOHN WILKINSON,
JOHN MOOR, ISAAC PEARSON.
JOSEPH FOX,

"The House, taking the foregoing report of the committee of accounts into consideration, and having spent some time therein,

"*Resolved*,

"That the sum of *five hundred pounds* sterling, per annum, be allowed and given to Benjamin Franklin, Esquire, late agent for the province of Pennsylvania at the court of Great Britain, during his absence of six years from his business and connexions, in the service of the public; and that the thanks of this House be also given to the said gentleman by Mr. Speaker, from the chair, as well for the faithful discharge of his duty to this province in particular, as for the many and important services done America in general, during his residence in Great Britain."

"Thursday, March 31st, 1763. Pursuant to a resolve of the 19th of last month, that the thanks of this House be given to Benjamin Franklin, Esquire, for his many services, not only to the province of Pennsylvania, but to America in general, during his late agency at the court of Great Britain, the same were this day accordingly given in form from the chair. To which Mr. Franklin, respectfully addressing himself to the Speaker, made answer, 'That he was thankful to the House, for the very handsome and generous allowance they had been pleased to make him for his services; but that the approbation of this House was, in his estimation, far above every other kind of recompense.'" — *Votes*. 1763.

conceive, that, besides the prejudice to my private affairs by my absence, a thousand pounds more would not have reimbursed me.

The money voted was immediately paid me. But, if I had occasioned the loss of six thousand pounds to the province, here was a fair opportunity of securing easily the greatest part of it. Why was not the five thousand pounds deducted, and the remainder called for? The reason is, this accusation was not then invented. Permit me to add, that, supposing the whole eleven thousand pounds an expense occasioned by my voyage to England; yet the taxation of the proprietary estate now established, will, when valued by years' purchase, be found in time an advantage to the public far exceeding that expense. And, if the expense is at present a burden, the odium of it ought to lie on those, who, by their injustice, made the voyage necessary, and not on me, who only submitted to the orders of the House in undertaking it.

I am now to take leave (perhaps a last leave) of the country I love, and in which I have spent the greatest part of my life. *Esto perpetua.* I wish every kind of prosperity to my friends; and I forgive my enemies.

B. Franklin.

Philadelphia, November 5th, 1764.

LETTER

CONCERNING THE

GRATITUDE OF AMERICA,

AND THE PROBABILITY AND EFFECTS OF A UNION WITH GREAT BRITAIN; AND CONCERNING THE REPEAL OR SUSPENSION OF THE STAMP ACT.

[London,] January 6th, 1766.

SIR,

I have attentively perused the paper you sent me, and am of opinion, that the measure it proposes, of an union with the colonies, is a wise one; but I doubt it will hardly be thought so here, till it is too late to attempt it. The time has been, when the colonies would have esteemed it a great advantage, as well as honor to be permitted to send members to Parliament; and would have asked for that privilege, if they could have had the least hopes of obtaining it. The time is now come, when they are indifferent about it, and will probably not ask it, though they might accept it if offered them; and the time will come, when they will certainly refuse it. But if such an union were now established (which methinks it highly imports this country to establish) it would probably subsist as long as Britain shall continue a nation. This people, however, is too proud, and too much despises the Americans, to bear the thought of admitting them to such an equitable participation in the government of the whole.

Then the next best thing seems to be, leaving them in the quiet enjoyment of their respective constitutions; and when money is wanted for any public service, in which they ought to bear a part, calling upon them by

requisitorial letters from the crown (according to the long-established custom) to grant such aids as their loyalty shall dictate, and their abilities permit. The very sensible and benevolent author of that paper seems not to have known, that such a constitutional custom subsists, and has always hitherto been practised in America; or he would not have expressed himself in this manner; "It is evident, beyond a doubt, to the intelligent and impartial, that after the very extraordinary efforts, which were effectually made by Great Britain in the late war to save the colonists from destruction, and attended of necessity with an enormous load of debts in consequence, that the same colonists, now firmly secured from foreign enemies, should be somehow induced to contribute some proportion towards the exigencies of state in future." This looks as if he conceived the war had been carried on at the sole expense of Great Britain, and the colonies only reaped the benefit, without hitherto sharing the burden, and were therefore now indebted to Britain on that account. And this is the same kind of argument that is used by those, who would fix on the colonies the heavy charge of unreasonableness and ingratitude, which I think your friend did not intend.

Please to acquaint him, then, that the fact is not so; that, every year during the war, requisitions were made by the crown on the colonies for raising money and men; that accordingly they made more extraordinary efforts, in proportion to their abilities, than Britain did; that they raised, paid, and clothed, for five or six years, near twenty-five thousand men, besides providing for other services, as building forts, equipping guard-ships, paying transports, &c. And that this was more than their fair proportion is not merely an opinion of mine, but was the judgment of government here, in full

knowledge of all the facts; for the then ministry, to make the burthen more equal, recommended the case to Parliament, and obtained a reimbursement to the Americans of about two hundred thousand pounds sterling every year; which amounted only to about two fifths of their expense; and great part of the rest lies still a load of debt upon them; heavy taxes on all their estates, real and personal, being laid by acts of their assemblies to discharge it, and yet will not discharge it in many years.

While, then, these burdens continue; while Britain restrains the colonies in every branch of commerce and manufactures that she thinks interferes with her own; while she drains the colonies, by her trade with them, of all the cash they can procure by every art and industry in any part of the world, and thus keeps them always in her debt; (for they can make no law to discourage the importation of your to *them* ruinous superfluities, as *you* do the superfluities of France; since such a law would immediately be reported against by your Board of Trade, and repealed by the crown;) I say, while these circumstances continue, and while there subsists the established method of royal requisitions for raising money on them by their own assemblies on every proper occasion; can it be necessary or prudent to distress and vex them by taxes laid here, in a Parliament wherein they have no representative, and in a manner which they look upon to be unconstitutional and subversive of their most valuable rights? And are they to be thought unreasonable and ungrateful if they oppose such taxes?

Wherewith, they say, shall we show our loyalty to our gracious King, if our money is to be given by others, without asking our consent? And, if the Parliament has a right thus to take from us a penny in the

pound, where is the line drawn that bounds that right, and what shall hinder their calling, whenever they please, for the other nineteen shillings and eleven pence? Have we then any thing that we can call our own? It is more than probable, that bringing representatives from the colonies to sit and act here as members of Parliament, thus uniting and consolidating your dominions, would in a little time remove these objections and difficulties, and make the future government of the colonies easy; but, till some such thing is done, I apprehend no taxes, laid there by Parliament here, will ever be collected, but such as must be stained with blood; and I am sure the profit of such taxes will never answer the expense of collecting them, and that the respect and affection of the Americans to this country will in the struggle be totally lost, perhaps never to be recovered; and therewith all the commercial and political advantages, that might have attended the continuance of this respect and this affection.

In my own private judgment, I think an immediate repeal of the Stamp Act would be the best measure for this country; but a suspension of it for three years, the best for that. The repeal would fill them with joy and gratitude, reëstablish their respect and veneration for Parliament, restore at once their ancient and natural love for this country, and their regard for every thing that comes from it; hence the trade would be renewed in all its branches; they would again indulge in all the expensive superfluities you supply them with, and their own new-assumed home industry would languish. But the suspension, though it might continue their fears and anxieties, would at the same time keep up their resolutions of industry and frugality; which in two or three years would grow into habits, to their lasting advantage. However, as the repeal will probably not be now agreed

to,* from what I think a mistaken opinion, that the honor and dignity of government is better supported by persisting in a wrong measure once entered into, than by rectifying an error as soon as it is discovered; we must allow the next best thing for the advantage of both countries, is the suspension; for, as to executing the act by force, it is madness, and will be ruin to the whole.

The rest of your friend's reasonings and propositions appear to me truly just and judicious. I will therefore only add, that I am as desirous of his acquaintance and intimacy, as he was of my opinion.

I am, with much esteem,

Your obliged friend,

B. FRANKLIN.†

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* It was however agreed to in the same year, viz. in 1766.—B. V.

† The name of the person, to whom this letter is addressed, is not known. The letter, to which it is a reply, appears to have contained the letter of some third person equally unknown.—B. V.

THE

EXAMINATION

OF

DR. BENJAMIN FRANKLIN,

IN THE

BRITISH HOUSE OF COMMONS,

RELATIVE TO THE

REPEAL OF THE AMERICAN STAMP ACT,

IN 1766.

No previous event in the life of Dr. Franklin gave him so much celebrity, as his examination before the House of Commons, while the repeal of the Stamp Act was under discussion in Parliament. The promptness and pertinency with which he replied to every question, the perfect knowledge of the subject manifested in his answers, his enlarged and sound views of political and commercial affairs, and the boldness and candor with which he expressed his sentiments, excited the surprise of his auditors, and were received with admiration by the public, when the results of the examination appeared in print. The dates are fixed by the following extracts from the journal of the House of Commons, as given by Mr. Vaughan.

"*February* 3*d*, 1766. Benjamin Franklin and a number of other persons ordered to attend the committee of the whole House, to whom it was referred to consider farther the several papers, which were presented to the House by Mr. Secretary Conway.

"*February* 13*th*. Benjamin Franklin, having passed through his examination, was excepted from farther attendance.

"*February* 24*th*. The resolutions of the committee were reported by the chairman, Mr. Fuller; their seventh and last reso-

lution setting forth, that it was their opinion that the House be moved, that leave be given to bring in a bill to repeal the Stamp Act."

The account of the examination was first published in 1767, without the name of printer or publisher. It was translated into French, and widely circulated in Europe. It has been frequently reprinted in both the English and French languages.—EDITOR.

Q. WHAT is your name, and place of abode?

A. Franklin, of Philadelphia.

Q. Do the Americans pay any considerable taxes among themselves?

A. Certainly many, and very heavy taxes.

Q. What are the present taxes in Pennsylvania, laid by the laws of the colony?

A. There are taxes on all estates real and personal; a poll tax; a tax on all offices, professions, trades, and businesses, according to their profits; an excise on all wine, rum, and other spirits; and a duty of ten pounds per head on all negroes imported, with some other duties.

Q. For what purposes are those taxes laid?

A. For the support of the civil and military establishments of the country, and to discharge the heavy debt contracted in the last war.

Q. How long are those taxes to continue?

A. Those for discharging the debt are to continue till 1772, and longer, if the debt should not be then all discharged. The others must always continue.

Q. Was it not expected that the debt would have been sooner discharged?

A. It was, when the peace was made with France and Spain. But, a fresh war breaking out with the Indians, a fresh load of debt was incurred; and the taxes, of course, continued longer by a new law.

Q. Are not all the people very able to pay those taxes?

A. No. The frontier counties, all along the continent, having been frequently ravaged by the enemy and greatly impoverished, are able to pay very little tax. And therefore, in consideration of their distresses, our late tax laws do expressly favor those counties, excusing the sufferers; and I suppose the same is done in other governments.

Q. Are not you concerned in the management of the post-office in America?

A. Yes. I am deputy-postmaster-general of North America.

Q. Don't you think the distribution of stamps by post to all the inhabitants very practicable, if there was no opposition?

A. The posts only go along the seacoasts; they do not, except in a few instances, go back into the country; and, if they did, sending for stamps by post would occasion an expense of postage amounting in many cases to much more than that of the stamps themselves.

Q. Are you acquainted with Newfoundland?

A. I never was there.

Q. Do you know whether there are any post-roads on that island?

A. I have heard that there are no roads at all, but that the communication between one settlement and another is by sea only.

Q. Can you disperse the stamps by post in Canada?

A. There is only a post between Montreal and Quebec. The inhabitants live so scattered and remote from each other in that vast country, that posts cannot be supported among them, and therefore they cannot get stamps per post. The English colonies, too, along the frontiers are very thinly settled.

Q. From the thinness of the back settlements, would not the Stamp Act be extremely inconvenient to the inhabitants, if executed?

A. To be sure it would; as many of the inhabitants could not get stamps when they had occasion for them without taking long journeys, and spending perhaps three or four pounds, that the crown might get sixpence.

Q. Are not the colonies, from their circumstances, very able to pay the stamp duty?

A. In my opinion there is not gold and silver enough in the colonies to pay the stamp duty for one year.*

Q. Don't you know that the money arising from the stamps was all to be laid out in America?

A. I know it is appropriated by the act to the American service; but it will be spent in the conquered colonies, where the soldiers are; not in the colonies that pay it.

Q. Is there not a balance of trade due from the colonies where the troops are posted, that will bring back the money to the old colonies?

A. I think not. I believe very little would come back. I know of no trade likely to bring it back. I think it would come, from the colonies where it was

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* The Stamp Act said, "that the Americans shall have no commerce, make no exchange of property with each other, neither purchase, nor grant, nor recover debts; they shall neither marry nor make their wills, unless they pay such and such sums" in *specie* for the stamps which must give validity to the proceedings. The operation of such a tax, had it obtained the consent of the people, appeared inevitable; and its annual productiveness, on its introduction, was estimated, by its proposer in the House of Commons at the committee for supplies, at one hundred thousand pounds sterling. The colonies being already reduced to the necessity of having *paper* money, by sending to Britain the specie they collected in foreign trade, in order to make up for the deficiency of their other returns for British manufactures, there were doubts whether there could remain *specie* sufficient to answer the tax. — B. V.

spent, directly to England; for I have always observed, that in every colony the more plenty the means of remittance to England, the more goods are sent for, and the more trade with England carried on.

Q. What number of white inhabitants do you think there are in Pennsylvania?

A. I suppose there may be about one hundred and sixty thousand.

Q. What number of them are Quakers?

A. Perhaps a third.

Q. What number of Germans?

A. Perhaps another third; but I cannot speak with certainty.

Q. Have any number of the Germans seen service, as soldiers, in Europe?

A. Yes, many of them, both in Europe and America.

Q. Are they as much dissatisfied with the stamp duty as the English?

A. Yes, and more; and with reason, as their stamps are, in many cases, to be double.*

Q. How many white men do you suppose there are in North America?

A. About three hundred thousand, from sixteen to sixty years of age.†

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* The Stamp Act provided, that a double duty should he laid "where the instrument, proceedings, &c., shall be engrossed, written, or printed within the said colonies and plantations, in any other than the English language." This measure, it is presumed, appeared to be suggested by motives of convenience, and the policy of assimilating persons of foreign to those of British descent, and preventing their interference in the conduct of law business till this change should be effected. It seems, however, to have been deemed too precipitate, immediately to extend this clause to newly conquered countries. An exemption therefore was granted, in this particular, with respect to Canada and Grenada, for the space of five years, to be reckoned from the commencement of the duty. See the Stamp Act. — B. V.

† Strangers excluded, some parts of the northern colonies doubled their numbers in fifteen or sixteen years; to the southward they were

Q. What may be the amount of one year's imports into Pennsylvania from Britain?

A. I have been informed that our merchants compute the imports from Britain to be above five hundred thousand pounds.

Q. What may be the amount of the produce of your province exported to Britain?

A. It must be small, as we produce little that is wanted in Britain. I suppose it cannot exceed forty thousand pounds.

Q. How then do you pay the balance?

A. The balance is paid by our produce carried to the West Indies, and sold in our own islands, or to the French, Spaniards, Danes, and Dutch; by the same produce carried to other colonies in North America, as to New England, Nova Scotia, Newfoundland, Carolina, and Georgia; by the same, carried to different parts of Europe, as Spain, Portugal, and Italy. In all which places we receive either money, bills of exchange, or commodities that suit for remittance to Britain; which, together with all the profits on the industry of our merchants and mariners, arising in those circuitous voyages, and the freights made by their ships, centre finally in Britain to discharge the balance, and pay for British manufactures continually used in the provinces, or sold to foreigners by our traders.

Q. Have you heard of any difficulties lately laid on the Spanish trade?

A. Yes; I have heard, that it has been greatly obstructed by some new regulations, and by the English men-of-war and cutters stationed all along the coast in America.

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longer; but, taking one with another, they had doubled, by natural generation only, once in twenty-five years. Pennsylvania, including strangers, had doubled in about sixteen years. — B. V.

Q. Do you think it right that America should be protected by this country and pay no part of the expense?

A. That is not the case. The colonies raised, clothed, and paid, during the last war, near twenty-five thousand men, and spent many millions.

Q. Were you not reimbursed by Parliament?

A. We were only reimbursed what, in your opinion, we had advanced beyond our proportion, or beyond what might reasonably be expected from us; and it was a very small part of what we spent. Pennsylvania, in particular, disbursed about five hundred thousand pounds, and the reimbursements, in the whole, did not exceed sixty thousand pounds.

Q. You have said that you pay heavy taxes in Pennsylvania; what do they amount to in the pound?

A. The tax on all estates, real and personal, is eighteen pence in the pound, fully rated; and the tax on the profits of trades and professions, with other taxes, do, I suppose, make full half a crown in the pound.

Q. Do you know any thing of the rate of exchange in Pennsylvania, and whether it has fallen lately?

A. It is commonly from one hundred and seventy to one hundred and seventy-five. I have heard, that it has fallen lately from one hundred and seventy-five to one hundred and sixty-two and a half; owing, I suppose, to their lessening their orders for goods; and, when their debts to this country are paid, I think the exchange will probably be at par.

Q. Do you not think the people of America would submit to pay the stamp duty, if it was moderated?

A. No, never, unless compelled by force of arms.

Q. Are not the taxes in Pennsylvania laid on unequally, in order to burden the English trade; particularly the tax on professions and business?

A. It is not more burdensome in proportion than the tax on lands. It is intended and supposed to take an equal proportion of profits.

Q. How is the assembly composed? Of what kinds of people are the members; landholders or traders?

A. It is composed of landholders, merchants, and artificers.

Q. Are not the majority landholders?

A. I believe they are.

Q. Do not they, as much as possible, shift the tax off from the land, to ease that, and lay the burden heavier on trade?

A. I have never understood it so. I never heard such a thing suggested. And indeed an attempt of that kind could answer no purpose. The merchant or trader is always skilled in figures, and ready with his pen and ink. If unequal burdens are laid on his trade, he puts an additional price on his goods; and the consumers, who are chiefly landholders, finally pay the greatest part, if not the whole.

Q. What was the temper of America towards Great Britain before the year 1763?*

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* In the year 1733, "for the welfare and prosperity of our sugar colonies in America," and "for remedying discouragements of planters," duties were "*given and granted*" to George the Second, upon all rum, spirits, molasses, syrups, sugar, and paneles of foreign growth, produce, and manufacture, imported into the colonies. This *regulation of trade*, for the benefit of the general empire was acquiesced in, notwithstanding the introduction of the novel terms "give and grant." But the act, which was made only for the term of five years, and had been several times renewed in the reign of George the Second, and once in the reign of George the Third, was renewed again in the year 1763, in the reign

A. The best in the world. They submitted willingly to the government of the crown, and paid, in their courts, obedience to the acts of Parliament. Numerous as the people are in the several old provinces, they cost you nothing in forts, citadels, garrisons, or armies, to keep them in subjection. They were governed by this country at the expense only of a little pen, ink, and paper; they were led by a thread. They had not only a respect, but an affection for Great Britain; for its laws, its customs and manners, and even a fondness for its fashions, that greatly increased the commerce. Natives of Britain were always treated with particular regard; to be an *Old-England man* was, of itself, a character of some respect, and gave a kind of rank among us.

Q. And what is their temper now?

A. O, very much altered.

Q. Did you ever hear the authority of Parliament to make laws for America questioned till lately?

A. The authority of Parliament was allowed to be valid in all laws, except such as should lay internal

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of George the Third, and *extended to other articles upon new and altered grounds.* It was stated in the preamble to this act, "that it was expedient that new provisions and regulations should be established for *improving the revenue of this kingdom;*" that it "was just and necessary that a revenue should be raised in America for defending, protecting, and securing the same;" "and that the Commons of Great Britain, desirous of making some provision towards *raising the said revenue* in America, have resolved to *give* and *grant* to his Majesty the several rates and duties," &c. Mr. Mauduit, agent for Massachusetts Bay, tells us, that he was instructed in the following terms to oppose Mr. Grenville's taxing system. "You are to remonstrate against these measures, and, if possible, to obtain a repeal of the Sugar Act, and prevent the imposition of any further duties or taxes on the colonies. Measures will be taken that you may be joined by all the other agents. *Boston, June 14th,* 1764."

The question proposed to Dr. Franklin alludes to this sugar act in 1763. Dr. Franklin's answer particularly merits the attention of the historian and the politician. — B. V.

taxes. It was never disputed in laying duties to regulate commerce.

Q. In what proportion hath population increased in America?

A. I think the inhabitants of all the provinces together, taken at a medium, double in about twenty-five years. But their demand for British manufactures increases much faster; as the consumption is not merely in proportion to their numbers, but grows with the growing abilities of the same numbers to pay for them. In 1723, the whole importation from Britain to Pennsylvania was about fifteen thousand pounds sterling; it is now near half a million.

Q. In what light did the people of America use to consider the Parliament of Great Britain?

A. They considered the Parliament as the great bulwark and security of their liberties and privileges, and always spoke of it with the utmost respect and veneration. Arbitrary ministers, they thought, might possibly, at times, attempt to oppress them; but they relied on it, that the Parliament, on application, would always give redress. They remembered, with gratitude, a strong instance of this, when a bill was brought into Parliament, with a clause to make royal instructions laws in the colonies, which the House of Commons would not pass, and it was thrown out.

Q. And have they not still the same respect for Parliament?

A. No, it is greatly lessened.

Q. To what cause is that owing?

A. To a concurrence of causes; the restraints lately laid on their trade, by which the bringing of foreign gold and silver into the colonies was prevented; the prohibition of making paper money among themselves, and then demanding a new and heavy tax by stamps,

taking away, at the same time, trials by juries, and refusing to receive and hear their humble petitions.

Q. Don't you think they would submit to the Stamp Act, if it was modified, the obnoxious parts taken out, and the duty reduced to some particulars of small moment?

A. No, they will never submit to it.

Q. What do you think is the reason that the people in America increase faster than in England?

A. Because they marry younger, and more generally.

Q. Why so?

A. Because any young couple, that are industrious, may easily obtain land of their own, on which they can raise a family.

Q. Are not the lower ranks of people more at their ease in America than in England?

A. They may be so, if they are sober and diligent, as they are better paid for their labor.

Q. What is your opinion of a future tax, imposed on the same principle with that of the Stamp Act? How would the Americans receive it?

A. Just as they do this. They would not pay it.

Q. Have not you heard of the resolutions of this House, and of the House of Lords, asserting the right of Parliament relating to America, including a power to tax the people there?

A. Yes, I have heard of such resolutions.

Q. What will be the opinion of the Americans on those resolutions?

A. They will think them unconstitutional and unjust.

Q. Was it an opinion in America before 1763, that the Parliament had no right to lay taxes and duties there?

A. I never heard any objection to the right of laying duties to regulate commerce; but a right to lay internal taxes was never supposed to be in Parliament, as we are not represented there.

Q. On what do you found your opinion, that the people in America made any such distinction?

A. I know that whenever the subject has occurred in conversation where I have been present, it has appeared to be the opinion of every one, that we could not be taxed by a Parliament wherein we were not represented. But the payment of duties laid by an act of Parliament, as regulations of commerce, was never disputed.

Q. But can you name any act of assembly, or public act of any of your governments, that made such distinction?

A. I do not know that there was any; I think there was never an occasion to make any such act, till now that you have attempted to tax us; that has occasioned resolutions of assembly, declaring the distinction, in which I think every assembly on the continent, and every member in every assembly, have been unanimous.

Q. What, then, could occasion conversations on that subject before that time?

A. There was in 1754 a proposition made, (I think it came from hence,) that in case of a war, which was then apprehended, the governors of the colonies should meet, and order the levying of troops, building of forts, and taking every other necessary measure for the general defence; and should draw on the treasury here for the sums expended, which were afterwards to be raised in the colonies by a general tax, to be laid on them by *act of Parliament.* This occasioned a good deal of conversation on the subject; and the general opinion was, that the Parliament neither would nor could lay

any tax on us, till we were duly represented in Parliament; because it was not just, nor agreeable to the nature of an English constitution.

Q. Don't you know there was a time in New York, when it was under consideration to make an application to Parliament to lay taxes on that colony, upon a deficiency arising from the assembly's refusing or neglecting to raise the necessary supplies for the support of the civil government?

A. I never heard of it.

Q. There was such an application under consideration in New York; and do you apprehend they could suppose the right of Parliament to lay a tax in America was only local, and confined to the case of a deficiency in a particular colony, by a refusal of its assembly to raise the necessary supplies?

A. They could not suppose such a case, as that the assembly would not raise the necessary supplies to support its own government. An assembly that would refuse it must want common sense; which cannot be supposed. I think there was never any such case at New York, and that it must be a misrepresentation, or the fact must be misunderstood. I know there have been some attempts, by ministerial instructions from hence, to oblige the assemblies to settle permanent salaries on governors, which they wisely refused to do; but I believe no assembly of New York, or any other colony, ever refused duly to support government by proper allowances, from time to time, to public officers.

Q. But, in case a governor, acting by instruction, should call on an assembly to raise the necessary supplies, and the assembly should refuse to do it, do you not think it would then be for the good of the people of the colony, as well as necessary to government, that the Parliament should tax them?

A. I do not think it would be necessary. If an assembly could possibly be so absurd, as to refuse raising the supplies requisite for the maintenance of government among them, they could not long remain in such a situation; the disorders and confusion occasioned by it must soon bring them to reason.

Q. If it should not, ought not the right to be in Great Britain of applying a remedy?

A. A right, only to be used in such a case, I should have no objection to; supposing it to be used merely for the good of the people of the colony.

Q. But who is to judge of that, Britain or the colony?

A. Those that feel can best judge.

Q. You say the colonies have always submitted to external taxes, and object to the right of Parliament only in laying internal taxes; now can you show, that there is any kind of difference between the two taxes to the colony on which they may be laid?

A. I think the difference is very great. An *external* tax is a duty laid on commodities imported; that duty is added to the first cost and other charges on the commodity, and, when it is offered to sale, makes a part of the price. If the people do not like it at that price, they refuse it; they are not obliged to pay it. But an *internal* tax is forced from the people without their consent, if not laid by their own representatives. The Stamp Act says, we shall have no commerce, make no exchange of property with each other, neither purchase, nor grant, nor recover debts; we shall neither marry nor make our wills, unless we pay such and such sums; and thus it is intended to extort our money from us, or ruin us by the consequences of refusing to pay it.

Q. But supposing the external tax or duty to be laid on the necessaries of life, imported into your colony,

will not that be the same thing in its effects as an internal tax?

A. I do not know a single article imported into the northern colonies, but what they can either do without, or make themselves.

Q. Don't you think cloth from England absolutely necessary to them?

A. No, by no means absolutely necessary; with industry and good management, they may very well supply themselves with all they want.

Q. Will it not take a long time to establish that manufacture among them; and must they not in the mean while suffer greatly?

A. I think not. They have made a surprising progress already. And I am of opinion, that before their old clothes are worn out, they will have new ones of their own making.

Q. Can they possibly find wool enough in North America?

A. They have taken steps to increase the wool. They entered into general combinations to eat no more lamb; and very few lambs were killed last year. This course, persisted in, will soon make a prodigious difference in the quantity of wool. And the establishing of great manufactories, like those in the clothing towns here, is not necessary, as it is where the business is to be carried on for the purposes of trade. The people will all spin, and work for themselves, in their own houses.

Q. Can there be wool and manufacture enough in one or two years?

A. In three years, I think there may.

Q. Does not the severity of the winter, in the northern colonies, occasion the wool to be of bad quality?

A. No; the wool is very fine and good.

Q. In the more southern colonies, as in Virginia, don't you know, that the wool is coarse, and only a kind of hair?

A. I don't know it. I never heard it. Yet I have been sometimes in Virginia. I cannot say I ever took particular notice of the wool there, but I believe it is good, though I cannot speak positively of it; but Virginia and the colonies south of it have less occasion for wool; their winters are short, and not very severe; and they can very well clothe themselves with linen and cotton of their own raising for the rest of the year.

Q. Are not the people in the more northern colonies obliged to fodder their sheep all the winter?

A. In some of the most northern colonies they may be obliged to do it, some part of the winter.

Q. Considering the resolutions of Parliament,* *as to the right*, do you think, if the Stamp Act is repealed, that the North Americans will be satisfied?

A. I believe they will.

Q. Why do you think so?

A. I think the resolutions of *right* will give them very little concern, if they are never attempted to be carried into practice. The colonies will probably consider themselves in the same situation, in that respect, with Ireland; they know you claim the same right with regard to Ireland, but you never exercise it, and they may believe you never will exercise it in the colonies, any more than in Ireland, unless on some very extraordinary occasion.

Q. But who are to be the judges of that extraordinary occasion? Is not the Parliament?

A. Though the Parliament may judge of the occa-

* Afterwards expressed in the Declaratory Act. — B. V.

sion, the people will think it can never exercise such right, till representatives from the colonies are admitted into Parliament; and that, whenever the occasion arises, representatives *will* be ordered.

Q. Did you never hear that Maryland, during the last war, had refused to furnish a quota towards the common defence?

A. Maryland has been much misrepresented in that matter. Maryland, to my knowledge, never refused to contribute or grant aids to the crown. The assemblies, every year during the war, voted considerable sums, and formed bills to raise them. The bills were, according to the constitution of that province, sent up to the Council, or Upper House, for concurrence, that they might be presented to the governor, in order to be enacted into laws. Unhappy disputes between the two Houses, arising from the defects of that constitution principally, rendered all the bills but one or two, abortive. The proprietary's council rejected them. It is true, Maryland did not then contribute its proportion; but it was, in my opinion, the fault of the government, not of the people.

Q. Was it not talked of in the other provinces, as a proper measure, to apply to Parliament to compel them?

A. I have heard such discourse; but, as it was well known that the people were not to blame, no such application was ever made, nor any step taken towards it.

Q. Was it not proposed at a public meeting?

A. Not that I know of.

Q. Do you remember the abolishing of the paper currency in New England, by act of assembly?

A. I do remember its being abolished in the Massachusetts Bay.

Q. Was not Lieutenant-Governor Hutchinson principally concerned in that transaction?

A. I have heard so.

Q. Was it not at that time a very unpopular law?

A. I believe it might, though I can say little about it, as I lived at a distance from that province.

Q. Was not the scarcity of gold and silver an argument used against abolishing the paper?

A. I suppose it was.*

Q. What is the present opinion there of that law? Is it as unpopular as it was at first?

A. I think it is not.

Q. Have not instructions from hence been sometimes sent over to governors, highly oppressive and unpolitical?

A. Yes.

Q. Have not some governors dispensed with them for that reason?

A. Yes, I have heard so.

Q. Did the Americans ever dispute the controlling power of Parliament to regulate the commerce?

A. No.

Q. Can any thing less than a military force carry the Stamp Act into execution?

A. I do not see how a military force can be applied to that purpose.

Q. Why may it not?

A. Suppose a military force sent into America, they will find nobody in arms; what are they then to do? They cannot force a man to take stamps who chooses to do without them. They will not find a rebellion; they may indeed make one.

Q. If the act is not repealed, what do you think will be the consequences?

A. A total loss of the respect and affection the

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* See Remarks and Facts relative to American Paper Money. Vol. II. p. 340.

people of America bear to this country, and of all the commerce that depends on that respect and affection.

Q. How can the commerce be affected?

A. You will find, that if the act is not repealed, they will take a very little of your manufactures in a short time.

Q. Is it in their power to do without them?

A. I think they may very well do without them.

Q. Is it their interest not to take them?

A. The goods they take from Britain are either necessaries, mere conveniences, or superfluities. The first, as cloth, &c., with a little industry they can make at home; the second they can do without, till they are able to provide them among themselves; and the last, which are much the greatest part, they will strike off immediately. They are mere articles of fashion, purchased and consumed because the fashion in a respected country; but will now be detested and rejected. The people have already struck off, by general agreement, the use of all goods fashionable in mournings, and many thousand pounds' worth are sent back as unsalable.

Q. Is it their interest to make cloth at home?

A. I think they may at present get it cheaper from Britain; I mean, of the same fineness and workmanship; but, when one considers other circumstances, the restraints on their trade, and the difficulty of making remittances, it is their interest to make every thing.

Q. Suppose an act of internal regulations connected with a tax; how would they receive it?

A. I think it would be objected to.

Q. Then no regulation with a tax would be submitted to?

A. Their opinion is, that, when aids to the crown are wanted, they are to be asked of the several assem-

blies, according to the old established usage; who will, as they always have done, grant them freely. And that their money ought not to be given away, without their consent, by persons at a distance, unacquainted with their circumstances and abilities. The granting aids to the crown is the only means they have of recommending themselves to their sovereign; and they think it extremely hard and unjust, that a body of men, in which they have no representatives, should make a merit to itself of giving and granting what is not its own, but theirs; and deprive them of a right they esteem of the utmost value and importance, as it is the security of all their other rights.

Q. But is not the post-office, which they have long received, a tax as well as a regulation?

A. No; the money paid for the postage of a letter is not of the nature of a tax; it is merely a *quantum meruit* for a service done; no person is compellable to pay the money if he does not choose to receive the service. A man may still, as before the act, send his letter by a servant, a special messenger, or a friend, if he thinks it cheaper and safer.

Q. But do they not consider the regulations of the post-office, by the act of last year, as a tax?

A. By the regulations of last year the rate of postage was generally abated near thirty per cent through all America; they certainly cannot consider such abatement *as a tax.*

Q. If an excise was laid by Parliament, which they might likewise avoid paying, by not consuming the articles excised, would they then not object to it?

A. They would certainly object to it, as an excise is unconnected with any service done, and is merely an aid, which they think ought to be asked of them, and granted by them, if they are to pay it; and can be

granted for them by no others whatsoever, whom they have not empowered for that purpose.

Q. You say they do not object to the right of Parliament, in laying duties on goods to be paid on their importation; now, is there any kind of difference between a duty on the importation of goods, and an excise on their consumption?

A. Yes, a very material one; an excise, for the reasons I have just mentioned, they think you can have no right to lay within their country. But the sea is yours; you maintain, by your fleets, the safety of navigation in it, and keep it clear of pirates; you may have, therefore, a natural and equitable right to some toll or duty on merchandises carried through that part of your dominions, towards defraying the expense you are at in ships to maintain the safety of that carriage.

Q. Does this reasoning hold in the case of a duty laid on the produce of their lands exported? And would they not then object to such a duty?

A. If it tended to make the produce so much dearer abroad, as to lessen the demand for it, to be sure they would object to such a duty; not to your right of laying it, but they would complain of it as a burden, and petition you to lighten it.

Q. Is not the duty paid on the tobacco exported, a duty of that kind?

A. That, I think, is only on tobacco carried coastwise, from one colony to another, and appropriated as a fund for supporting the college at Williamsburg in Virginia.

Q. Have not the assemblies in the West Indies the same natural rights with those in North America?

A. Undoubtedly.

Q. And is there not a tax laid there on their sugars exported?

A. I am not much acquainted with the West Indies; but the duty of four and a half per cent on sugars exported was, I believe, granted by their own assemblies.

Q. How much is the poll-tax in your province laid on unmarried men?

A. It is, I think, fifteen shillings, to be paid by every single freeman, upwards of twenty-one years old.

Q. What is the annual amount of all the taxes in Pennsylvania?

A. I suppose about twenty thousand pounds sterling.

Q. Supposing the Stamp Act continued and enforced, do you imagine that ill humor will induce the Americans to give as much for worse manufactures of their own, and use them, preferable to better of ours?

A. Yes, I think so. People will pay as freely to gratify one passion as another, their resentment as their pride.

Q. Would the people at Boston discontinue their trade?

A. The merchants are a very small number compared with the body of the people, and must discontinue their trade, if nobody will buy their goods.

Q. What are the body of the people in the colonies?

A. They are farmers, husbandmen, or planters.

Q. Would they suffer the produce of their lands to rot?

A. No; but they would not raise so much. They would manufacture more, and plough less.

Q. Would they live without the administration of justice in civil matters, and suffer all the inconveniences of such a situation for any considerable time, rather than take the stamps, supposing the stamps were protected by a sufficient force, where every one might have them?

A. I think the supposition impracticable, that the stamps should be so protected as that every one might

have them. The act requires sub-distributors to be appointed in every county town, district, and village, and they would be necessary. But the principal distributors, who were to have had a considerable profit on the whole, have not thought it worth while to continue in the office; and I think it impossible to find sub-distributors fit to be trusted, who, for the trifling profit that must come to their share, would incur the odium, and run the hazard, that would attend it; and, if they could be found, I think it impracticable to protect the stamps in so many distant and remote places.

Q. But in places where they could be protected, would not the people use them, rather than remain in such a situation, unable to obtain any right, or recover by law any debt?

A. It is hard to say what they would do. I can only judge what other people will think, and how they will act, by what I feel within myself. I have a great many debts due to me in America, and I had rather they should remain unrecoverable by any law, than submit to the Stamp Act. They will be debts of honor. It is my opinion the people will either continue in that situation, or find some way to extricate themselves; perhaps by generally agreeing to proceed in the courts without stamps.

Q. What do you think a sufficient military force to protect the distribution of the stamps in every part of America?

A. A very great force, I can't say what, if the disposition of America is for a general resistance.

Q. What is the number of men in America able to bear arms, or of disciplined militia?

A. There are, I suppose, at least . . . . .

[*Question objected to. He withdrew. Called in again.*]

Q. Is the American Stamp Act an equal tax on the country?

A. I think not.

Q. Why so?

A. The greatest part of the money must arise from lawsuits for the recovery of debts, and be paid by the lower sort of people, who were too poor easily to pay their debts. It is, therefore, a heavy tax on the poor, and a tax upon them for being poor.

Q. But will not this increase of expense be a means of lessening the number of lawsuits?

A. I think not; for as the costs all fall upon the debtor, and are to be paid by him, they would be no discouragement to the creditor to bring his action.

Q. Would it not have the effect of excessive usury?

A. Yes; as an oppression of the debtor.

Q. How many ships are there laden annually in North America with flax-seed for Ireland?

A. I cannot speak to the number of ships; but I know, that, in 1752, ten thousand hogsheads of flax-seed, each containing seven bushels, were exported from Philadelphia to Ireland. I suppose the quantity is greatly increased since that time, and it is understood, that the exportation from New York is equal to that from Philadelphia.

Q. What becomes of the flax that grows with that flax-seed?

A. They manufacture some into coarse, and some into a middling kind of linen.

Q. Are there any slitting-mills in America?

A. I think there are three, but I believe only one at present employed. I suppose they will all be set to work, if the interruption of the trade continues.

Q. Are there any fulling mills there?

A. A great many.

Q. Did you never hear, that a great quantity of stockings were contracted for, for the army, during the war, and manufactured in Philadelphia?

A. I have heard so.

Q. If the Stamp Act should be repealed, would not the Americans think they could oblige the Parliament to repeal every external tax law now in force?

A. It is hard to answer questions of what people at such a distance will think.

Q. But what do you imagine they will think were the motives of repealing the act?

A. I suppose they will think, that it was repealed from a conviction of its inexpediency; and they will rely upon it, that, while the same inexpediency subsists, you will never attempt to make such another.

Q. What do you mean by its inexpediency?

A. I mean its inexpediency on several accounts; the poverty and inability of those who were to pay the tax, the general discontent it has occasioned, and the impracticability of enforcing it.

Q. If the act should be repealed, and the legislature should show its resentment to the opposers of the Stamp Act, would the colonies acquiesce in the authority of the legislature? What is your opinion they would do?

A. I don't doubt at all, that if the legislature repeal the Stamp Act, the colonies will acquiesce in the authority.

Q. But if the legislature should think fit to ascertain its right to lay taxes, by any act laying a small tax, contrary to their opinion, would they submit to pay the tax?

A. The proceedings of the people in America have been considered too much together. The proceedings of the assemblies have been very different from those

of the mobs, and should be distinguished, as having no connexion with each other. The assemblies have only peaceably resolved what they take to be their rights; they have taken no measures for opposition by force, they have not built a fort, raised a man, or provided a grain of ammunition, in order to such opposition. The ringleaders of riots, they think ought to be punished; they would punish them themselves, if they could. Every sober, sensible man, would wish to see rioters punished, as, otherwise, peaceable people have no security of person or estate; but as to an internal tax, how small soever, laid by the legislature here on the people there, while they have no representatives in this legislature, I think it will never be submitted to; they will oppose it to the last; they do not consider it as at all necessary for you to raise money on them by your taxes; because they are, and always have been, ready to raise money by taxes among themselves, and to grant large sums, equal to their abilities, upon requisition from the crown.

They have not only granted equal to their abilities, but, during all the last war, they granted far beyond their abilities, and beyond their proportion with this country (you yourselves being judges), to the amount of many hundred thousand pounds; and this they did freely and readily, only on a sort of promise, from the Secretary of State, that it should be recommended to Parliament to make them compensation. It was accordingly recommended to Parliament, in the most honorable manner for them. America has been greatly misrepresented and abused here, in papers, and pamphlets, and speeches, as ungrateful, and unreasonable, and unjust; in having put this nation to an immense expense for their defence, and refusing to bear any part of that expense. The colonies raised, paid, and clothed

near twenty-five thousand men during the last war; a number equal to those sent from Britain, and far beyond their proportion; they went deeply into debt in doing this, and all their taxes and estates are mortgaged for many years to come, for discharging that debt.

Government here was at that time very sensible of this. The colonies were recommended to Parliament. Every year the King sent down to the House a written message to this purpose; "that his Majesty, being highly sensible of the zeal and vigor with which his faithful subjects in North America had exerted themselves, in defence of his Majesty's just rights and possessions, recommended it to the House to take the same into consideration, and enable him to give them a proper compensation." You will find those messages on your own journals every year of the war to the very last; and you did accordingly give two hundred thousand pounds annually to the crown, to be distributed in such compensation to the colonies.

This is the strongest of all proofs, that the colonies, far from being unwilling to bear a share of the burden, did exceed their proportion; for if they had done less, or had only equalled their proportion, there would have been no room or reason for compensation. Indeed, the sums, reimbursed them, were by no means adequate to the expense they incurred beyond their proportion; but they never murmured at that; they esteemed their sovereign's approbation of their zeal and fidelity, and the approbation of this House, far beyond any other kind of compensation; therefore there was no occasion for this act, to force money from a willing people. They had not refused giving money for the purposes of the act; no requisition had been made; they were always willing and ready to do what could reasonably be expected from them, and in this light they wish to be considered.

Q. But suppose Great Britain should be engaged in a war in Europe, would North America contribute to the support of it?

A. I do think they would as far as their circumstances would permit. They consider themselves as a part of the British empire, and as having one common interest with it; they may be looked on here as foreigners, but they do not consider themselves as such. They are zealous for the honor and prosperity of this nation; and, while they are well used, will always be ready to support it, as far as their little power goes. In 1739 they were called upon to assist in the expedition against Carthagena, and they sent three thousand men to join your army. It is true, Carthagena is in America, but as remote from the northern colonies, as if it had been in Europe. They make no distinction of wars, as to their duty of assisting in them.

I know the last war is commonly spoken of here, as entered into for the defence, or for the sake, of the people in America. I think it is quite misunderstood. It began about the limits between Canada and Nova Scotia; about territories to which the *crown* indeed laid claim, but which were not claimed by any British *colony;* none of the lands had been granted to any colonist; we had therefore no particular concern or interest in that dispute. As to the Ohio, the contest there began about your right of trading in the Indian country, a right you had by the treaty of Utrecht, which the French infringed; they seized the traders and their goods, which were your manufactures; they took a fort which a company of your merchants, and their factors, and correspondents, had erected there to secure that trade. Braddock was sent with an army to retake that fort, (which was looked on here as another encroachment on the King's territory,) and to

protect your trade. It was not till after his defeat, that the colonies were attacked.* They were before in perfect peace with both French and Indians; the troops were not, therefore, sent for their defence.

The trade with the Indians, though carried on in America, is not an American interest. The people of America are chiefly farmers and planters; scarce any thing that they raise or produce is an article of commerce with the Indians. The Indian trade is a British interest; it is carried on with British manufactures, for the profit of British merchants and manufacturers; therefore the war, as it commenced for the defence of territories of the crown (the property of no American), and for the defence of a trade purely British, was really a British war, and yet the people of America made no scruple of contributing their utmost towards carrying it on, and bringing it to a happy conclusion.

Q. Do you think, then, that the taking possession of the King's territorial rights, and strengthening the frontiers, is not an American interest?

A. Not particularly, but conjointly a British and an American interest.

Q. You will not deny, that the preceding war, the war with Spain, was entered into for the sake of America; was it not occasioned by captures made in the American seas?

A. Yes; captures of ships carrying on the British trade there with British manufactures.

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* When this army was in the utmost distress, from the want of wagons, &c., our author and his son voluntarily traversed the country, in order to collect a sufficient quantity; and they had zeal and address enough to effect their purpose, upon pledging themselves, to the amount of many thousand pounds, for payment. It was just before Dr. Franklin's last return from England to America, that the accounts in this transaction were passed at the British treasury.—B. V.

Q. Was not the late war with the Indians, since the peace with France, a war for America only?

A. Yes; it was more particularly for America than the former; but was rather a consequence or remains of the former war, the Indians not having been thoroughly pacified; and the Americans bore by much the greatest share of the expense. It was put an end to by the army under General Bouquet; there were not above three hundred regulars in that army, and above one thousand Pennsylvanians.

Q. Is it not necessary to send troops to America, to defend the Americans against the Indians?

A. No, by no means; it never was necessary. They defended themselves when they were but a handful, and the Indians much more numerous. They continually gained ground, and have driven the Indians over the mountains, without any troops sent to their assistance from this country. And can it be thought necessary now to send troops for their defence from those diminished Indian tribes, when the colonies have become so populous and so strong? There is not the least occasion for it; they are very able to defend themselves.

Q. Do you say there were not more than three hundred regular troops employed in the late Indian war?

A. Not on the Ohio, or the frontiers of Pennsylvania, which was the chief part of the war that affected the colonies. There were garrisons at Niagara, Fort Detroit, and those remote posts kept for the sake of your trade; I did not reckon them; but I believe, that on the whole the number of Americans or provincial troops, employed in the war, was greater than that of the regulars. I am not certain, but I think so.

Q. Do you think the assemblies have a right to levy money on the subject there, to grant to the crown?

A. I certainly think so; they have always done it.

Q. Are they acquainted with the declaration of rights? And do they know, that, by that statute, money is not to be raised on the subject but by consent of Parliament?

A. They are very well acquainted with it.

Q. How then can they think they have a right to levy money for the crown, or for any other than local purposes?

A. They understand that clause to relate to subjects only within the realm; that no money can be levied on them for the crown, but by consent of Parliament. The colonies are not supposed to be within the realm; they have assemblies of their own, which are their parliaments, and they are, in that respect, in the same situation with Ireland. When money is to be raised for the crown upon the subject in Ireland, or in the colonies, the consent is given in the Parliament of Ireland, or in the assemblies of the colonies. They think the Parliament of Great Britain cannot properly give that consent, till it has representatives from America; for the petition of right expressly says, it is to be by common consent in Parliament; and the people of America have no representatives in Parliament, to make a part of that common consent.

Q. If the Stamp Act should be repealed, and an act should pass, ordering the assemblies of the colonies to indemnify the sufferers by the riots, would they obey it?

A. That is a question I cannot answer.

Q. Suppose the King should require the colonies to grant a revenue, and the Parliament should be against their doing it, do they think they can grant a revenue to the King, without the consent of the Parliament of Great Britain?

A. That is a deep question. As to my own opinion, I should think myself at liberty to do it, and should do it, if I liked the occasion.

Q. When money has been raised in the colonies, upon requisitions, has it not been granted to the King?

A. Yes, always; but the requisitions have generally been for some service expressed, as to raise, clothe, and pay troops, and not for money only.

Q. If the act should pass requiring the American assemblies to make compensation to the sufferers, and they should disobey it, and then the Parliament should, by another act, lay an internal tax, would they then obey it?

A. The people will pay no internal tax; and, I think, an act to oblige the assemblies to make compensation is unnecessary; for I am of opinion, that, as soon as the present heats are abated, they will take the matter into consideration, and if it is right to be done, they will do it of themselves.

Q. Do not letters often come into the post-offices in America, directed to some inland town where no post goes?

A. Yes.

Q. Can any private person take up those letters and carry them as directed?

A. Yes; any friend of the person may do it, paying the postage that has accrued.

Q. But must not he pay an additional postage for the distance to such inland town?

A. No.

Q. Can the post-master answer delivering the letter, without being paid such additional postage?

A. Certainly he can demand nothing, where he does no service.

Q. Suppose a person, being far from home, finds a

letter in a post-office directed to him, and he lives in a place to which the post generally goes, and the letter is directed to that place; will the post-master deliver him the letter, without his paying the postage receivable at the place to which the letter is directed?

A. Yes; the office cannot demand postage for a letter that it does not carry, or farther than it does carry it.

Q. Are not ferry-men in America obliged, by act of Parliament, to carry over the posts without pay?

A. Yes.

Q. Is not this a tax on the ferry-men?

A. They do not consider it as such, as they have an advantage from persons travelling with the post.

Q. If the Stamp Act should be repealed, and the crown should make a requisition to the colonies for a sum of money, would they grant it?

A. I believe they would.

Q. Why do you think so?

A. I can speak for the colony I live in; I had it in *instruction* from the assembly to assure the ministry, that, as they always had done, so they should always think it their duty, to grant such aids to the crown as were suitable to their circumstances and abilities, whenever called upon for that purpose, in the usual constitutional manner; and I had the honor of communicating this instruction to that honorable gentleman then minister.*

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* I take the following to be the history of this transaction. Until 1763, and the years following, whenever Great Britain wanted supplies directly from the colonies, the Secretary of State, in his Majesty's name, sent them a letter of requisition, in which the occasion for supplies was expressed; and the colonies returned a *free gift*, the mode of levying which *they* wholly prescribed. At this period, a chancellor of the exchequer (Mr. George Grenville) steps forth, and says to the House of Commons; "*We must call for money from the colonies in the way of a*

Q. Would they do this for a British concern, as suppose a war in some part of Europe, that did not affect them?

A. Yes, for any thing that concerned the general interest. They consider themselves a part of the whole.

Q. What is the usual constitutional manner of calling on the colonies for aids?

A. A letter from the Secretary of State.

Q. Is this all you mean; a letter from the Secretary of State?

A. I mean the usual way of requisition, in a circular letter from the Secretary of State, by his Majesty's command, reciting the occasion, and recommending it to the colonies to grant such aids as became their loyalty, and were suitable to their abilities.

Q. Did the Secretary of State ever write for money for the crown?

A. The requisitions have been to raise, clothe, and pay men, which cannot be done without money.

Q. Would they grant money alone, if called on?

A. In my opinion they would, money as well as men, when they have money, or can make it.

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tax;" and to the colony agents, "*Write to your several colonies, and tell them, if they dislike a duty upon* stamps, *and prefer any other method of raising the money themselves, I shall be content, provided the* amount *be but raised.*" "That is," observed the colonies, when commenting upon his terms, "if we will not tax ourselves, *as we may be directed*, the Parliament will tax us." Dr. Franklin's instructions, spoken of above, related to this gracious option. As the colonies could not choose "*another* tax," while they disclaimed *every* tax, the Parliament passed the Stamp Act.

It seems, that the only part of the offer, which bore a show of favor, was the grant of the *mode of levying;* and this was the only circumstance which was *not new.*

See Mr. Mauduit's account of Mr. Grenville's conference with the agents, confirmed by the agents for Georgia and Virginia; and Mr. Burke's Speech, in 1774, p. 55.—B. V.

Q If the Parliament should repeal the Stamp Act, will the assembly of Pennsylvania rescind their resolutions?

A. I think not.

Q. Before there was any thought of the Stamp Act, did they wish for a representation in Parliament?

A. No.

Q. Don't you know, that there is, in the Pennsylvania charter, an express reservation of the right of Parliament to lay taxes there?

A. I know there is a clause in the charter, by which the King grants, that he will levy no taxes on the inhabitants, unless it be with the consent of the assembly, or by act of Parliament.

Q. How, then, could the assembly of Pennsylvania assert, that laying a tax on them by the Stamp Act was an infringement of their rights?

A. They understand it thus; by the same charter, and otherwise, they are entitled to all the privileges and liberties of Englishmen; they find in the Great Charters, and the Petition and Declaration of Rights, that one of the privileges of English subjects is, that they are not to be taxed but by their common consent; they have therefore relied upon it, from the first settlement of the province, that the Parliament never would, nor could, by color of that clause in the charter, assume a right of taxing them, till it had qualified itself to exercise such right, by admitting representatives from the people to be taxed, who ought to make a part of that common consent.

Q. Are there any words in the charter that justify that construction?

A. "The common rights of Englishmen," as declared by *Magna Charta*, and the Petition of Right, all justify it.

Q. Does the distinction between internal and external taxes exist in the words of the charter?

A. No, I believe not.

Q. Then, may they not, by the same interpretation, object to the Parliament's right of external taxation?

A. They never have hitherto. Many arguments have been lately used here to show them, that there is no difference, and that, if you have no right to tax them internally, you have none to tax them externally, or make any other law to bind them. At present they do not reason so; but in time they may possibly be convinced by these arguments.

Q. Do not the resolutions of the Pennsylvania assembly say, "all taxes"?

A. If they do, they mean only internal taxes; the same words have not always the same meaning here and in the colonies. By taxes, they mean internal taxes; by duties, they mean customs; these are their ideas of the language.

Q. Have you not seen the resolutions of the Massachusetts Bay assembly?

A. I have.

Q. Do they not say, that neither external nor internal taxes can be laid on them by Parliament?

A. I don't know that they do; I believe not.

Q. If the same colony should say, neither tax nor imposition could be laid, does not that province hold the power of Parliament can lay neither?

A. I suppose, that, by the word *imposition*, they do not intend to express duties to be laid on goods imported, as *regulations of commerce.*

Q. What can the colonies mean then by imposition, as distinct from taxes?

A. They may mean many things, as impressing of men or of carriages, quartering troops on private

houses, and the like; there may be great impositions that are not properly taxes.

Q. Is not the post-office rate an internal tax laid by act of Parliament?

A. I have answered that.

Q. Are all parts of the colonies equally able to pay taxes?

A. No, certainly; the frontier parts, which have been ravaged by the enemy, are greatly disabled by that means; and therefore, in such cases, are usually favored in our tax laws.

Q. Can we, at this distance, be competent judges of what favors are necessary?

A. The Parliament have supposed it, by claiming a right to make tax laws for America; I think it impossible.

Q. Would the repeal of the Stamp Act be any discouragement of your manufactures? Will the people that have begun to manufacture decline it?

A. Yes, I think they will; especially if, at the same time, the trade is opened again, so that remittances can be easily made. I have known several instances that make it probable. In the war before last, tobacco being low, and making little remittance, the people of Virginia went generally into family manufactures. Afterwards, when tobacco bore a better price, they returned to the use of British manufactures. So fulling-mills were very much disused in the last war in Pennsylvania, because bills were then plenty, and remittances could easily be made to Britain for English cloth and other goods.

Q. If the Stamp Act should be repealed, would it induce the assemblies of America to acknowledge the rights of Parliament to tax them, and would they erase their resolutions?

A. No, never.

Q. Are there no means of obliging them to erase those resolutions?

A. None that I know of; they will never do it, unless compelled by force of arms.

Q. Is there a power on earth that can force them to erase them?

A. No power, how great soever, can force men to change their opinions.

Q. Do they consider the post-office as a tax, or as a regulation?

A. Not as a tax, but as a regulation and convenience; every assembly encouraged it, and supported it in its infancy, by grants of money, which they would not otherwise have done; and the people have always paid the postage.

Q. When did you receive the instructions you mentioned?

A. I brought them with me, when I came to England, about fifteen months since.

Q. When did you communicate that instruction to the minister?

A. Soon after my arrival, while the stamping of America was under consideration, and before the bill was brought in.

Q. Would it be most for the interest of Great Britain, to employ the hands of Virginia in tobacco, or in manufactures?

A. In tobacco, to be sure.

Q. What used to be the pride of the Americans?

A. To indulge in the fashions and manufactures of Great Britain.

Q. What is now their pride?

A. To wear their old clothes over again, till they can make new ones.

Withdrew.

NOTE.

In Mr. Walsh's "Life of Franklin," contained in *Delaplaine's Repository* are some curious remarks on the preceding examination, transcribed from a manuscript written by Dr. Franklin in reply to a friend, who desired to know by whom the several questions were put. These remarks are as follows.

"I have numbered the questions," says Dr. Franklin, "for the sake of making references to them.

"*Qu.* 1, is a question of form, asked of every one that is examined.— *Qu.* 2, 3, 4, 5, 6, 7, were asked by Mr. Hewitt, a member for Coventry, a friend of ours, and were designed to draw out the answers that follow; being the substance of what I had before said to him on the subject, to remove a common prejudice, that the Colonies paid no taxes, and that their governments were supported by burdening the people here; *Qu.* 7, was particularly intended to show by the answer, that Parliament could not properly and equally lay taxes in America, as they could not, by reason of their distance, be acquainted with such circumstances as might make it necessary to spare particular parts.— *Qu.* 8 to 13, asked by Mr. Huske, another friend, to show the impracticability of distributing the Stamps in America.— *Qu.* 14, 15, 16, by one of the late administration, an adversary.— *Qu.* 17 to 26, by Mr. Huske again. His questions about the Germans, and about the number of people, were intended to make the opposition to the Stamp Act in America appear more formidable. He asked some others here that the Clerk has omitted, particularly one, I remember.

"There had been a considerable party in the House for saving the honor and right of Parliament, by retaining the Act, and yet making it tolerable to America, by reducing it to a stamp on commissions for profitable offices, and on cards and dice. I had, in conversation with many of them, objected to this, as it would require an establishment for the distributors, which would be a great expense, as the stamps would not be sufficient to pay them, and so the odium and contention would be kept up for nothing. The notion of amending, however, still continued, and one of the most active of the members for promoting it told me, he was sure I could, if I would, assist them to amend the Act in such a manner, that America should have little or no objection to it. 'I must confess,' says I, 'I have thought of one amendment; if you will make it, the Act may remain, and yet the Americans will be quieted. It is a very small amendment, too; it is only the change of a single word. 'Ay,' says he, 'what is that?' It is in that clause where it is said, that from and after the first day of November one thousand seven hundred and sixty-five, there shall be paid, &c. The amendment I would propose is, for *one* read *two*, and then all the rest of the act may stand as it does. I believe it will give nobody in America any uneasiness. Mr. Huske had heard of this, and, desiring to bring out the same answer in the House, asked me whether I could not propose a small

amendment, that would make the act palatable. But, as I hought the answer he wanted too light and ludicrous for the House, I evaded the question.

"*Qu.* 27, 28, 29, I think these were by Mr. Grenville, but I am not certain. — *Qu.* 30, 31, I know not who asked them. — *Qu.* 32 to 35, asked by Mr. Nugent, who was against us. His drift was to establish a notion he had entertained, that the people in America had a crafty mode of discouraging the English trade by heavy taxes on merchants. — *Qu.* 36 to 42, most of these by Mr. Cooper and other friends, with whom I had discoursed, and were intended to bring out such answers as they desired and expected from me. — *Qu.* 43, uncertain by whom. — *Qu.* 44, 45, 46, by Mr. Nugent again, who I suppose intended to infer, that the poor people in America were better able to pay taxes than the poor in England. — *Qu.* 47, 48, 49, by Mr. Prescott, an adversary.

"*Qu.* 50 to 58, by different members, I cannot recollect who. — *Qu.* 59 to 78, chiefly by the former ministry. — *Qu.* 79 to 82, by friends. — *Qu.* 83, by one of the late ministry. — *Qu.* 84, by Mr. Cooper. — *Qu.* 85 to 90, by some of the late ministry. — *Qu.* 91, 92, by Mr. Grenville. — *Qu.* 93 to 98, by some of the late ministry. — *Qu.* 99, 100, by some friend, I think Sir George Saville. — *Qu.* 101 to 106, by several of the late ministry. — *Qu.* 107 to 114, by friends. — *Qu.* 115 to 117, by Mr. A. Bacon. — *Qu.* 118 to 120, by some of the late ministry. — *Qu.* 121, by an adversary. — *Qu.* 122, by a friend. — *Qu.* 123, 124, by Mr. Charles Townshend. — *Qu.* 125, by Mr. Nugent. — *Qu.* 126, by Mr. Grenville. — *Qu.* 127, by one of the late ministry. — *Qu.* 128, by Mr. G. Grenville. — *Qu.* 129, 130, 131, by Mr. Wellbore Ellis, late Secretary of War. — *Qu.* 132 to 135, uncertain. — 136 to 142, by some of the late ministry, intending to prove that it operated where no service was done, and therefore it was a tax. — *Qu.* 143, by a friend, I forget who. — *Qu.* 144, 145, by C. Townshend. — *Qu.* 146 to 151, by some of the late ministry. — *Qu.* 152 to 157, by Mr. Prescott, and others of the same side. — *Qu.* 158 to 162, by Charles Townshend. — *Qu.* 163, 164, by a friend, I think Sir George Saville. — *Qu.* 165, by some friend. — *Qu.* 166, 167, by an adversary. — *Qu.* 168 to 174, by friends.

"Mr. Nugent made a violent speech next day upon this examination, in which he said, 'We have often experienced Austrian ingratitude and yet we assisted Portugal, we experienced Portuguese ingratitude, and yet we assisted America. But what is Austrian ingratitude, what is the ingratitude of Portugal, compared to this of America? We have fought, bled, and ruined ourselves, to conquer for them; and now they come and tell us to our noses, even at the bar of this House, that they were not obliged to us,' &c. But his clamor was very little minded."

REMARKS

ON

A PLAN FOR THE FUTURE MANAGEMENT OF INDIAN AFFAIRS.

The Plan remarked upon was under the consideration of the ministry before the close of the year 1766, and, as I am inclined to think, after the commencement of 1765. I can go no nearer as to its date. It is needless to enter into the particulars of it, as the Remarks explain themselves; except perhaps as to the following points.

The trade was to be open; there were to be two superintendents to it; in the northern district, the trade was to be carried on at fixed posts; in the southern, within the Indian towns; the military were to have no power over the superintendents or the Indian trade, even in war time, unless with the superintendents' assent, or in great exigencies; the superintendents, by themselves or deputies, were to make annual visitations among the Indians, and their proceedings were to be very summary; and no credit was to be given to the Indians beyond fifty shillings, for no higher debt was to be made recoverable.—B. V.

The regulations in this Plan seem to me to be in general very good; but some few appear to want explanation, or farther consideration.

Clause 3. Is it intended by this clause to prevent the trade that Indians, living near the frontiers, may choose to carry on with the inhabitants, by bringing their skins into the settlements? This prevention is hardly practicable; as such trade may be carried on in many places out of the observation of government,

the frontier being of great extent, and the inhabitants thinly settled in the woods, and remote from each other. The Indians, too, do not everywhere live in towns sufficiently numerous to encourage traders to reside among them; but in scattered families, here and there, often shifting their situation for the sake of better hunting; and if they are near the English settlements, it would seem to them very hard to be obliged to carry their skins for sale to remote towns or posts, when they could dispose of them to their neighbours, with less trouble and to greater advantage; as the goods they want for them, are and must be dearer at such remote posts.

4. The colony "laws for regulating Indian affairs or commerce" are the result of long experience, made by people on the spot, interested to make them good; and it would be well to consider the matter thoroughly, before they are repealed, to make way for new and untried schemes.

By whom are they to be repealed? By the colony assemblies, or by Parliament? Some difficulty will arise here.

13. The districts seem too large for this. The Indians under the care of the northern superintendent, by this plan, border on the colonies of Nova Scotia, Quebec, New Hampshire, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia; the superintendent's situation, remote from many of these, may occasion great inconvenience, if his consent is always to be necessary in such cases.

14. This seems too much to be done, when the vastness of the district is considered. If there were more districts and smaller, it might be more practicable.

15 and 16. Are these agents or commissaries to try causes where life is concerned? Would it not be better to send the criminals into some civil, well-settled

government or colony, for trial, where good juries can be had?

18. "Chief for the whole tribe; who shall constantly reside with the commissary," &c. Provision must then be made for his maintenance, as particular Indians have no estates, but live by hunting; and their public has no funds or revenues. Being used to rambling, it would perhaps not be easy to find one, who would be obliged to this constant residence; but it may be tried.

22. If the agent and his deputies, and the commissaries, are not to trade, should it not be a part of their oath, that they will have no concern in such trade, directly or indirectly? Private agreements between them and the traders, for share of profits, should be guarded against; and the same care taken to prevent, if possible, private agreements between them and the purchasers of Indian lands.

31. —— "or trading at any other post," &c. This should be so expressed, as to make the master liable for the offence of the servant; otherwise it will have no effect.

33. I doubt the settling of tariffs will be a matter of difficulty. There may be differences of fineness, goodness, and value, in the goods of different traders, that cannot be properly allowed for by general tariffs. And it seems contrary to the nature of commerce, for government to interfere in the prices of commodities. Trade is a voluntary thing between buyer and seller; in every article of which each exercises his own judgment, and is to please himself. Suppose either Indian or trader is dissatisfied with the tariff, and refuses barter on those terms; are the refusers to be compelled? If not, why should an Indian be forbidden to take more goods for his skins than your tariff allows, if the trader is willing to give them; or a

trader more skins for his goods, if the Indian is willing to give them? Where there are a number of traders, the separate desire of each to get more custom will operate in bringing down their goods to a reasonable price. It therefore seems to me, that trade will best find and make its own rates; and that government cannot well interfere, unless it will take the whole trade into its own hands (as in some colonies it does), and manage it by its own servants, at its own risk.

38. I apprehend, that if the Indians cannot get rum of fair traders, it will be a great means of defeating all these regulations that direct the trade to be carried on at certain posts. The countries and forests are so very large, it is scarce possible to guard every part, so as to prevent unlicensed traders drawing the Indians and the trade to themselves, by rum and other spirituous liquors, which all savage people are so fond of. I think they will generally trade where they can get rum, preferably to where it is refused them; and the proposed prohibition will therefore be a great encouragement to unlicensed traders, and promote such trade. If the commissaries, or officers at the posts, can prevent the selling of rum during the barter for other goods, and until the Indians are about going away, it is perhaps all that is practicable or necessary. The missionaries will, among other things, endeavour to prevail with them to live soberly and avoid drunkenness.

39. The Indian trade, so far as credit is concerned, has hitherto been carried on wholly upon honor. They have among themselves no such thing as prisons or confinement for debt. This article seems to imply, that an Indian may be compelled by law to pay a debt of fifty shillings or under. Our legal method of compulsion is by imprisonment. The Indians cannot and will not imprison one another; and, if we attempt to imprison them, I apprehend it would be generally dis-

liked by the nations, and occasion breaches. They have such high ideas of the value of personal liberty, and such slight ones of the value of personal property, that they would think the disproportion monstrous between the liberty of a man and a debt of a few shillings; and that it would be excessively inequitable and unjust, to take away the one for a default in payment of the other. It seems to me, therefore, best to leave that matter on its present footing; the debts under fifty shillings as irrecoverable by law, as this article proposes for the debts above fifty shillings. Debts of honor are generally as well paid as other debts. Where no compulsion can be used, it is more disgraceful to be dishonest. If the trader thinks his risk greater in trusting any particular Indian, he will either not do it, or proportion his price to his risk.

44. As the goods for the Indian trade all come from England, and the peltry is chiefly brought to England, perhaps it will be best to lay the duty here, on the exportation of the one, and the importation of the other; to avoid meddling with the question of the right to lay duties in America by Parliament here.

If it be thought proper to carry the trading part of this plan into execution, would it not be well to try it first in a few posts, to which the present colony laws for regulating the Indian trade do not reach; that by experience its utility may be ascertained, or its defects discovered and amended, before it is made general, and those laws repealed to make way for it? If the Indians find by experience, that they are better used in their trade at the posts under these regulations, than at other places, may it not make them desirous of having the regulations extended to other places; and, when extended, better satisfied with them upon reflection and comparison?

HINTS

FOR A REPLY TO THE PROTESTS

OF

CERTAIN MEMBERS OF THE HOUSE OF LORDS

AGAINST

THE REPEAL OF THE STAMP ACT.

In the ATHENÆUM at Philadelphia are many volumes of Pamphlets, which formerly belonged to Dr. Franklin. Some of these are curious from the manuscript notes they contain in the margin. A few specimens have been selected for publication, both as having an historical interest, and as being peculiarly characteristic of their author. These were first published by the present editor in a little volume, entitled, "Familiar Letters and Miscellaneous Pieces by Dr. Franklin."

It should here also be observed, that the notes contained in these pamphlets were penned at the very time when he was supposed, by some persons, either unfriendly to his character or ignorant of his motives, to be secretly acting a part in England more accordant to his private aims, than to the high duties of a true lover of his country. From the tone, temper, and substance of these notes, let the reader judge with what justice such suspicions have been entertained, and such insinuations hazarded to the public. As mere private records of his thoughts, prompted by the impulse of the moment, without any design of their ever seeing the light, they must be admitted to reveal his true sentiments, and to exhibit the unbiassed workings of his mind.

The following "HINTS" are found in the margin of Dr. Franklin's printed copy of the *Protests*, written at the time (1766), from which it would appear, that it was his intention to make a formal answer to these Protests. This purpose, it is believed, was never executed.—EDITOR.

FIRST PROTEST.

We have submitted to your laws; no proof of our acknowledgment of your power to make them; rather an acknowledgment of their reasonableness, or of our own weakness. Post-office came as a matter of utility; was aided by the legislature. Mean to take advantage of our ignorance. Children should not be imposed on; are not, even by honest shopkeepers. A great and magnanimous nation should disdain to govern by tricks and traps, that would disgrace a pettifogging attorney.

Settlement of the colonies stated. Parliament not consulted; not till after the Restoration, except by rebel Parliament. Anxious about preserving the sovereignty of this country? Rather be so about preserving the liberty. We shall be so about the liberty of America, that your posterity may have a free country to come to, where they will be received with open arms.

King, the sovereign, cannot take in his Parliament; at least, can give no greater power, than he had himself.

Compliment the Lords. Not a wiser or better body of men on earth. The deep respect impressed on me by the instance I have been witness to of their justice. They have been misled by misinformation. Proof of my opinion of their goodness, in the freedom with which I propose to examine their Protests.

The trust of taxing America was never reposed by the people of America in the legislature of Great Britain. They had one kind of confidence, indeed, in that legislature; that it would never attempt to tax them without their consent. The law was destructive of that confidence among them.

Other advantages of colonies besides commerce. Selfishness of commercial views.

The sovereignty of the crown I understand. The sovereignty of the British legislature out of Britain I do not understand.

The *fear* of being *thought weak* is a timidity and weakness of the worst sort, as it betrays into a persisting in errors, that may be much more mischievous than the appearance of weakness. A great and powerful state, like this, has no cause for such timidity.

Acknowledging and correcting an error shows great magnanimity. Small states and small republics cannot afford to do so.

America not in the realm of England or Great Britain? No man in America thinks himself exempt from the jurisdiction of the crown, and of the assemblies, or has any such private judgment.

The agitation of the question of rights makes it now necessary to settle a constitution for the colonies. Restrictions should be only for the general good. Endeavour to convince reasonable creatures by reason. Try your hands with me.

Never think of it. They are reasonable creatures. Reasonable laws will not require force.

I observe two or three Scotch Lords protest. Many more voted against the repeal. Colonies settled before the union. Query; If the Parliament had a jurisdiction over the colonies by the first settlement, had they a right to introduce new legislators? Could they sell or commute the right with other nations? Can they introduce the Peers of Ireland and Commons, and the States of Holland, and make them legislators of the colonies? How could Scotland acquire a right to legislation over English colonies, but by consent of the colonies themselves?

I am a subject of the crown of Great Britain; have ever been a loyal one; have partaken of its favors. I

OBSERVATIONS

ON PASSAGES IN

"A LETTER

FROM

A MERCHANT IN LONDON

TO HIS NEPHEW IN NORTH AMERICA

LONDON, 1766."*

Extract. "THE honest indignation you express against those artifices and frauds, those robberies and insults, which lost us the hearts and affections of the Indians, is particularly to be commended; for these were the things, as you justly observed, which involved us in the most bloody and expensive war that ever was known."

Observation. This is wickedly intended by the author, Dean Tucker, to represent the North Americans as the cause of the war. Whereas it was in fact begun by the French, who seized the goods and persons of the English traders on the Ohio, who encroached on the King's land in Nova Scotia, and took a fort from the Ohio Company by force of arms, which induced England to make reprisals at sea, and to send Braddock to recover the fort on the Ohio, whence came on the war.

"By the spirit of *Magna Charta* all taxes laid on by Parliament are constitutional, legal taxes."

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* Marginal notes in Franklin's Pamphlets in the Philadelphia Athenæum. See above, pp. 206, 211. — EDITOR.